United Nations A/58/865–S/2004/628

General Assembly
Security Council

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General Assembly
Fifty-eighth session
Agenda item 30
Question of Cyprus

Security Council
Fifty-ninth year

Letter dated 6 August 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the Secretary-General

Further to our letter dated 23 July 2004 concerning a series of confidence-building measures proposed by the Government of the Republic of Cyprus on 16 July 2004 (A/58/857-S/2004/596), I have the honour to inform you that on 30 July 2004 the Government of the Republic of Cyprus announced concrete measures aimed at the faster and more efficient implementation of European Union Council Regulation 866/2004 of 29 April 2004, on a regime under Article 2 of Protocol No. 10 of the Act of Accession, which regulates, inter alia, the movement of persons and goods between the area of the Republic of Cyprus which is under the effective control of the Government and that which is not.

Specifically, these measures and initiatives are as follows:

1. Measures on the circulation of public-service vehicles owned by Turkish Cypriots

In order to facilitate the movement of Turkish Cypriots with mechanically driven vehicles and the transport of goods and passengers, the Council of Ministers of the Republic of Cyprus decided the amendment of the relevant national legislation, thus allowing for the free-of-charge issuing of a temporary driver's licence to Turkish Cypriots, as well as a temporary road service licence for vehicles owned by Turkish Cypriots. The Government's decision applies to the following categories of vehicles:

(a) Trucks to transport goods for own account;

(b) Trucks to transport goods for hire or reward;

(c) Tourist buses;

(d) Taxis owned by Cypriots or other European Union citizens having their normal residence in the area which is not under the effective control of the Government of the Republic of Cyprus.

Furthermore, the Council of Ministers decided to approve for translation into the Turkish language of all relevant legislation, documents and books concerning

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the syllabus of the written examination needed to obtain the necessary certificate to access the profession of road haulage or professional driver.

2. Measures to facilitate the movement of goods and the development of contacts and economic relations between Greek Cypriots and Turkish Cypriots

After a thorough study of European Union Council Regulation 866/2004 of 29 April 2004, the Government of the Republic of Cyprus has decided to formulate specific proposals for the amendment of that regulation so as to introduce more liberal provisions which will facilitate trade between Greek Cypriots and Turkish Cypriots. It also proposed measures under Council Directive 77/388/EEC aimed at applying simplified procedures in the field of value-added tax (VAT), which would render compliance with the acquis easier for persons operating within the Turkish Cypriot community. The proposals, which are currently being examined by the European Commission, refer to the following:

(a) Exemption from the obligation to register in the VAT Register for Turkish Cypriot undertakings, when transactions are carried out in the area under the effective control of the Republic of Cyprus with taxable Greek Cypriot undertakings;

(b) Simplification measures, under Article 24 of Directive 77/388/EEC, for Turkish Cypriot undertakings selling directly to the consumer in the area under the effective control of the Republic of Cyprus;

(c) Amendment of Article 4 (2) of Regulation (EC) 866/2004 so that goods eligible for export refunds or intervention measures will be allowed to cross the line to the area under the effective control of the Government of the Republic of Cyprus without being subject to customs duties or charges having an equivalent effect;

(d) Amendment of Article 5 of Regulation (EC) 866/2004 so that goods entering the Republic of Cyprus from other European Union member States or from third countries and destined for consumption in the area which is not under the effective control of the Government of the Republic of Cyprus will be liable to a zero rate of VAT. The same is to be valid for goods supplied from the area under the effective control of the Government of the Republic of Cyprus to the area which is not.

It should be noted that the aforementioned measures, though technical in nature, still have valuable political ramifications, in that they are in line with and contribute to the successful implementation of the European Union policy to facilitate the reunification of the island by encouraging the economic development of the Turkish Cypriot community, through proposals aimed at the economic integration of the island and the improvement of contacts between the two communities and with the European Union.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 30, and of the Security Council.

(*Signed*) Andreas **Hadjichrysanthou**
Chargé d'affaires a.i.

United Nations S/2004/629

Security Council

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9 August 2004

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Letter dated 2 August 2004 from the Permanent Representative of Ghana to the United Nations addressed to the President of the Security Council

On the instructions of my Government, I have the honour to forward, herewith, the Accra III Agreement on Côte d'Ivoire, adopted at the high-level meeting on Côte d'Ivoire, held in Accra on 29 and 30 July 2004 (see annex).

I should be grateful if you would circulate the present letter and its annex as a document of the Security Council.

(*Signed*) Nana **Effah-Apenteng**
Ambassador and Permanent Representative

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Annex to the letter dated 2 August 2004 from the Permanent Representative of Ghana to the United Nations addressed to the President of the Security Council

[Original English and French]

HIGH LEVEL MEETING ON CÔTE D'IVOIRE

ACCRA, 29TH - 30TH JULY 2004

ACCRA III AGREEMENT ON CÔTE D'IVOIRE

1. At the invitation of His Excellency, Mr. John Agyekum Kufuor, President of the Republic of Ghana and Chairman of ECOWAS, and His Excellency Kofi Annan, the Secretary-General of the United Nations, the following African Heads of State and Government or their duly accredited representatives, met His Excellency Mr. Laurent Gbagbo, President of the Republic of Cote d'Ivoire, His Excellency Seydou Elimane Diarra, Prime Minister of the Government of National Reconciliation and the main Ivorian political forces signatories to the Linas-Marcoussis Agreement, that is, the FPI, MJP, MPCI, MPIGO, PDCI-RDA, PIT, MFA, RDR, UDCI and UDPCI, in Accra on 29 and 30 July 2004:

- **His Excellency Mathieu Kérékou**
  President of the Republic of Benin
- **His Excellency Blaise Compaore**
  President of Burkina Faso, Head of Government
- **His Excellency Denis Sassou Nguesso**
  President of the Republic of the Congo
- **His Excellency Laurent Gbagbo**
  President of the Republic of Côte d'Ivoire
- **His Excellency El Hadj Omar Bongo Ondimba**
  President of the Gabonese Republic
- **His Excellency John Agyekum Kufuor**
  President of the Republic of Ghana
  Chairman of ECOWAS
- **His Excellency Gyude Bryant**
  Chairman of the National Transitional Government of Liberia
- **His Excellency Amadou Toumani Toure**
  President of the Republic of Mali
- **His Excellency Mamadou Tanja**
  President of the Republic of the Niger, Current Chairman of UEMOA

- **His Excellency Chief Olusegun Obasanjo**
  President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria and Chair of the African Union

- **His Excellency Ahmad Tejan Kabbah**
  President of the Republic of Sierra Leone

- **His Excellency Thabo Mbeki**
  President of the Republic of South Africa

- **His Excellency Gnassingbe Eyadema**
  President of the Togolese Republic

- **His Excellency Fernando Da Piedade Dias Dos Santos**
  Prime Minister of Angola

- **His Excellency Mr. Cheikh Tidiane Sy**
  Senior Minister at the Presidency representing the President of the Republic of Senegal

- **His Excellency Mr. Momodou Kebba Jallow**
  High Commissioner of the Gambia to the Republic of Ghana representing the President of the Republic of the Gambia

- **His Excellency Elhadj Mamadou Falilou Bah**
  Ambassador of the Republic of Guinea to the Republic of Ghana representing the President of the Republic of Guinea

2. The following personalities also participated at the High Level consultation:

- **His Excellency Alpha Oumar Konare**
  Chairperson of the African Union Commission

- **His Excellency Dr. Mohamed Ibn Chambas**
  ECOWAS Executive Secretary

3. During the session presided by His Excellency Mr. John Agyekum Kufuor, the Ivorian political forces considered the obstacles that have so far impeded full implementation of the Linas-Marcoussis and Accra II agreements. They formulated proposals on how to overcome these obstacles and build consensus on the key issues confronting the Ivorian peace process.

4. The Ivorian political forces reiterated their commitment to the principles and Programme of Government contained in the Linas-Marcoussis and Accra II agreements. They also reaffirmed their determination to proceed with the full and unconditional implementation of these Agreements.

5. In order to put the peace process firmly back on track and to ensure a sustained implementation of the provisions of the Linas-Marcoussis Agreement, the political forces of Cote d'Ivoire agreed to the following measures.

Eligibility criteria for the office of President of the Republic (Art. 35 of the Constitution) and other legal reforms

6. In view of the persistent grave threat to the territorial integrity of Cote d'Ivoire caused by the continuing crisis, the President of the Republic shall use the powers conferred upon him by the Constitution to implement by the end of September 2004 the provisions of section III on eligibility of the Programme of the Government of National Reconciliation annexed to the Linas-Marcoussis Agreement.

7. As stated at the Addis Ababa meeting of 6 July 2004, the President of the Republic has convened on 28th July 2004 an extraordinary session of the National Assembly to proceed with the adoption of all legal reforms envisaged under the Linas-Marcoussis Agreement, in accordance with its letter and spirit.

8. They reiterated their commitment to ensuring the support of their respective members of the National Assembly for the adoption of these legislative texts by the end of August 2004, as stipulated in the Linas-Marcoussis Agreement.

Disarmament, Demobilisation and Reintegration process (DDR)

9. The parties commit themselves to the commencement of DDR by 15th October 2004. The process will be conducted on the basis of a specific timetable, in accordance with the relevant provisions of the Linas-Marcoussis Agreement and the decisions adopted in this regard in Grand Bassam and Yamoussoukro. The DDR process shall include all paramilitary and militia groups. It was also agreed that the restructuring of the defence and security forces should be undertaken in accordance with the road map delineated at Grand Bassam.

10. They called on the Prime Minister and the Government of National Reconciliation to establish a timetable for the restoration of State administration and public services throughout the country.

Delegation of powers to the Prime Minister

11. The parties recalled that in a letter dated 12 December 2003, the President had confirmed to the Prime Minister that the delegation of powers granted to him in accordance with article 53 of the Constitution enabled him to implement all the provisions of the Linas-Marcoussis Agreement until the elections scheduled for October 2005. In this connection, the President undertakes to translate the terms of that letter into a decree, which shall specify the areas covered by the delegation of powers, in accordance with the relevant provisions of the Linas-Marcoussis Agreement. The President of the Republic and the Prime Minister agreed on a decree for the delegation of powers and adequate additional measures.

Resumption of the work of the Government of National Reconciliation

12. The President of the Republic, the Prime Minister and the Ivorian political forces agreed on the urgency of resuming the work of the Government of National Reconciliation, in order to enable it to play its vital role of restoring normalcy in the

country and for ensuring sustained implementation of the Linas-Marcoussis Agreement. They also agreed to convene a meeting of the Council of Ministers within a week of the signing of this Agreement.

Human Rights

13. The Ivorian parties recognise that restoration of long-term peace and stability requires respect for human rights and the rule of law. In this regard, they agreed to cooperate fully with the International Commission of Inquiry, which has been established in accordance with the Linas-Marcoussis Agreement to look into the human rights violations committed in Cote d'Ivoire since the beginning of the crisis on 19 September 2002.

14. They also agreed that the National Human Rights Commission called for by the Linas-Marcoussis Agreement, should be established and commence its work without further delay.

Monitoring mechanism

15. The parties agreed to establish a tripartite monitoring mechanism comprising the representatives in Côte d'Ivoire of ECOWAS, the African Union and the United Nations operation. The monitoring group shall make fortnightly reports on the progress in the implementation of the Accra III Agreement to the Chairman of ECOWAS, the Chairperson of the African Union and the Secretary General of the United Nations.

Vote of thanks

16. The parties expressed their sincere appreciation to the co-chairs of the meeting, President John Kufuor of Ghana, Chairman of ECOWAS, and the Secretary-General of the United Nations, as well as to all participating Heads of State and other dignitaries, for their tireless efforts in the search for peace in Côte d'Ivoire and for their wise counsel and guidance, which enabled the parties to arrive at the present Agreement.

17. All the participants expressed their deep gratitude to His Excellency Mr. John Kufuor, President of the Republic of Ghana, the Government and people of Ghana for the warm and generous hospitality extended to them during their stay in Ghana, which contributed to the conduct of the negotiations in a climate of openness and mutual understanding.

H. E. Laurent Gbagbo
President of the Republic of Côte d'Ivoire

H. E. Seydou Elimane Diarra
Prime Minister
Of the Government of National Reconciliation

For the FPI
Pascal AFFI N'GUESSAN

For the MFA
Innocent KOBENA ANAKY

For the MJP
Gaspard DELI

For the MPCI
Guillaume SORO

For the MPIGO
Ben SOUCK

For the PDCI-RDA
Henri KONAN BEDIE

For the PIT
Francis WODIE

For the RDR
Alassane Dramane OUATTARA

For the UDCI
Théodore MEL EG

For the UDPCI
Paul Akoto YAO

Witnessed by:

H. E. Mathieu Kérékou
President of the Republic of Benin

H. E. Blaise Compaore
President of Burkina Faso,
Head of Government

H. E. Denis Sassou Nguesso
President of the Republic of the Congo

H. E. El Hadj Omar Bongo Ondimba
President of the Gabonese Republic

H. E. John Agyekum Kufuor
President of the Republic of Ghana
Chairman of ECOWAS

H. E. Gyude Bryant
Chairman of the National Transitional
Government of Liberia

H. E. Amadou Toumani Toure
President of the Republic of Mali

H. E. Mamadou Tanja
President of the Republic of the Niger,
Current Chairman of UEMOA

H. E. Chief Olusegun Obasanjo
President and Commander-in-Chief
of the Armed Forces of the
Federal Republic of Nigeria
and Chair of the African Union

H. E. Ahmad Tejan Kabbah
President of the Republic of Sierra Leone

H. E. Thabo Mbeki
President of the Republic of South Africa

H. E. Gnassingbe Eyadema
President of the Togolese Republic

H. E Fernando Da Piedade Dias Dos Santos

H. E. Mr. Cheikh Tidiane Sy

Prime Minister of Angola

Senior Minister at the Presidency
representing the President
of the Republic of Senegal

H. E. Dr. Mohamed Ibn Chambas
Executive Secretary of ECOWAS

H. E. Alpha Oumar Konare
Chairperson of the
African Union Commission

Done in Accra this 30th day of July 2004

United Nations A/ES-10/276–S/2004/630

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-ninth year

Identical letters dated 6 August 2004 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

It has been nearly one month since my last letter to you concerning the grave situation in the Occupied Palestinian Territory, including East Jerusalem. In that period, Israel, the occupying Power, has continued to commit serious violations and grave breaches of all rules and principles of international law, relentlessly carrying out its illegal policies and practices against the Palestinian civilian population.

Not a single day has gone by, indeed not a single minute has passed, during which the occupying Power has not deliberately engaged in the violation of international law, including international humanitarian law and human rights law, in the Occupied Palestinian Territory. The occupying Power has continued to kill and injure Palestinian civilians, including women and children; has continued to destroy homes, properties, infrastructure and agricultural lands; has continued to confiscate land; has continued to construct the illegal expansionist Wall; has continued to build illegal settlements; has continued to arrest, detain and imprison thousands of Palestinians; and has continued to cause the further deterioration of the already dire economic and social conditions of the Palestinian people by persisting in its imposition of severe restrictions on the freedom of movement of persons and goods, including humanitarian, throughout the Occupied Palestinian Territory, including East Jerusalem.

In contravention of international law and in contravention of the most recently adopted resolution by the Security Council on this matter, namely resolution 1544 (2004), the Israeli occupying forces have continued to carry out daily military raids and attacks in the Occupied Palestinian Territory, particularly in the Gaza Strip. The annexed list of the 59 Palestinian martyrs killed by the occupying forces during the past month is a tragic testament to the indiscriminate and excessive use of force that continues to be used by the occupying Power against the defenceless civilian population under its occupation. Innocent women and children have been killed while inside or just outside their homes, stone-throwing youths have been targeted with live ammunition and Palestinian men continue to be the target of extrajudicial killing operations.

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For more than a month, the Israeli occupying forces have laid siege to the area of Beit Hanoun in the Gaza Strip, repeatedly carrying out attacks in the area, raiding homes, terrorizing the population and causing vast destruction to private and public properties. At least 20 Palestinians have been killed by the occupying forces during the recent period in the Beit Hanoun area alone. In addition, the occupying forces completely destroyed at least 30 more homes, causing the homelessness and dispossession of hundreds more Palestinians, demolished a vegetable and fruit packing plant that once served nearly 1,000 farmers in the Gaza Strip and razed thousands upon thousands of acres of productive farmland and citrus groves, further harming and impoverishing hundreds of Palestinian families dependent on these means of livelihood.

The loss of life, the extensive destruction and the deplorable humanitarian situation in Beit Hanoun represent a microcosm of the situation of the Palestinian people as a whole throughout the Occupied Palestinian Territory, including East Jerusalem. Whether it is in Rafah, Khan Yunis, Nablus, Qalqilya, Tulkarem, Jenin, Al-Khalil, Bethlehem, Ramallah, East Jerusalem or any other town, village or refugee camp, the story is the same: it is of a people who are under total siege by the occupying Power, which is seriously violating their human rights, including by means of collective punishment, breaching all of its obligations under international law as the occupying Power and of worsening economic and social conditions among this people as a result of such violations, marked by rising unemployment, deepening poverty and growing hunger and despair.

The instances illustrating the dire humanitarian situation prevailing in the Occupied Palestinian Territory as a result of the illegal policies and practices of Israel, the occupying Power, are too innumerable to make mention of in one letter. But the account of the thousands of Palestinian civilians, including women, children and the elderly, who have been prevented from returning to their homes in the Gaza Strip at the Rafah border must be conveyed. Since 18 July 2004, the occupying Power closed the Rafah crossing on the Gaza-Egypt border, which is the only means for Palestinians living in Gaza to leave or re-enter Gaza. Since closing the crossing, the occupying Power refused to allow the re-entry of any Palestinian civilians into Gaza, including for medical emergencies. While thousands of Palestinians have been stranded in Egypt, at least 2,000 Palestinians actually remained crowded in the border terminal itself for weeks in appalling conditions, with scarce food, water and sanitary facilities, until the occupying Power finally reopened the border today and allowed more than 1,500 Palestinians to return home. This inhumane measure of collective punishment constitutes a serious violation of the freedom of movement that is being committed daily by the Israeli occupying forces by all means and methods, including by such border closings, by the establishment of hundreds of checkpoints and roadblocks, by the imposition of curfews and by the construction of the Wall in the Occupied Palestinian Territory, the gravest such measure in this regard.

With regard to the Wall, as you know, the International Court of Justice rendered, on 9 July 2004, an historic advisory opinion on the "*Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*". The Court concluded, inter alia, that "the construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime are contrary to international law". The Court found that Israel's construction of the Wall is in breach of several of its legal

obligations under the Charter of the United Nations, General Assembly and Security Council resolutions, the Hague Regulations, the Fourth Geneva Convention and relevant instruments of human rights law, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Right of the Child.

In accordance with its findings, the Court determined the legal consequences in this regard and concluded that Israel is under an obligation to terminate its breaches of international law and is under an obligation to cease its construction of the Wall in the Occupied Palestinian Territory, including East Jerusalem, to dismantle the segments of the Wall already built and to repeal or render ineffective all legislative and regulatory acts relating thereto. Further, the Court determined that Israel is under an obligation to make reparation for all damage caused by the construction of the Wall. In addition, the Court spelled out the obligations of States in this regard and determined that the United Nations, including the General Assembly and Security Council, should consider what further action is required to bring an end to the illegal situation resulting from the construction of the Wall and its regime, taking due account of the advisory opinion.

Indeed, the General Assembly in its tenth emergency special session, has already taken the first step in this regard. The Assembly has received and acknowledged the advisory opinion, adopting a very important resolution, resolution ES-10/15 of 20 July 2004, which reaffirms the applicable rules and principles of international law and recalls relevant General Assembly and Security Council resolutions, and which, inter alia, demands that Israel, the occupying Power, comply with its legal obligations as mentioned in the advisory opinion and also calls upon all Member States to comply with their legal obligations as mentioned in the opinion. The Assembly's overwhelming vote in favour of resolution ES-10/15 is clearly reflective of the respect accorded to the Court and its advisory opinion as well as the seriousness with which this issue is being taken, and indeed should be taken, by the international community.

Now that the Court has spoken and the General Assembly, as the requesting organ, has adopted resolution ES-10/15, the international community awaits and expects compliance by the occupying Power. Yet, developments in this regard have been less than promising in light of Israel's negative response. Immediately after both the Court's rendering of the advisory opinion and the Assembly's adoption of resolution ES-10/15, Israeli officials publicly rejected the advisory opinion, speaking with ill-respect and disdain for the Court, for the opinion and for the Assembly, and defiantly declared Israel's intention to continue constructing the Wall in the Occupied Palestinian Territory, including East Jerusalem. In the wake of both the opinion and the resolution, the occupying Power has in fact continued its unlawful construction of the Wall and had continued to carry out all of the associated illegal measures in this regard, including the confiscation of land, the destruction of property and the imposition of the "Closed Zone" and permit system, committing more and more violations of international law and causing more destruction to the Palestinian land and more suffering and loss for the Palestinian people. This must be a matter of direct and critical concern for the United Nations, including of course the General Assembly and the Security Council.

Intricately related to the ongoing construction of the Wall by the occupying Power is its ongoing and unlawful colonial settlement campaign in the Occupied

Palestinian Territory, including East Jerusalem. As has been reiterated by Palestine on numerous occasions, the building of the Wall is part and parcel of Israel's settlement campaign and it is only in this context that this issue can be properly examined and addressed. The intertwined relationship of both of these illegal enterprises was explicitly elucidated by the International Court of Justice in its advisory opinion. Indeed, the Court found, inter alia, that "the wall's sinuous route has been traced in such a way as to include within that area the great majority of the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem)". The Court concluded that the Israeli settlements have been established in breach of international law. Further, the Court determined that "the route chosen for the wall gives expression in loco to the illegal measures taken by Israel with regard to Jerusalem and the settlements, as deplored by the Security Council".

And yet, the occupying Power persists in its unlawful settlement campaign, building and expanding its settlements throughout the Occupied Palestinian Territory even as it purports to be pursuing a so-called "unilateral disengagement plan". Just earlier this week, the Israeli government approved the construction of 600 more housing units in the "Maale Adumim" settlement, which is located east of Jerusalem and is the largest Israeli settlement in the West Bank. Moreover, yesterday, it was reported that the Israeli government is finalizing plans to establish a new settlement of thousands of housing units in an area north of Jerusalem in order to connect these areas with the "Maale Adumim" settlement. There can no longer be any question as to the validity or legality of these actions by the occupying Power, which are clearly aimed at the colonization and de facto annexation of the Palestinian land. All such settlement activities are being carried out in grave breach of the Fourth Geneva Convention, in flagrant violation of Security Council resolutions and in violation of its commitments under the Road Map and must be vigorously condemned and opposed by the international community.

This letter is in follow-up to our previous 195 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 7 July 2004 (A/ES-10/272-S/2004/544), constitute a basic record of the crimes committed by the Israeli occupying forces against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, it is my deepest regret to inform you that, since my letter to you on 7 July 2004, at least 59 more Palestinians, including several women and children, have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 3,162 Palestinians. (The names of the martyrs that have been identified are contained in the annex to the present letter.)

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters dated 6 August 2004 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (Thursday, 8 July 2004, to Friday, 6 August 2004)

Thursday, 8 July 2004

1. Yussef Ahmed Mousa Al-Zaanin
2. Naim Messbah Abdelhady Al-Kafarna
3. Nassredine Mohammed Abu Herbed
4. Zaher Rajih Othman Abu Herbed
5. Nahed Abdelrahman Abdallah Abu Awdah
6. Jameela Abdelhady Hamad
7. Hamed Ahmed Abdelaziz Abu Awdah

Friday, 9 July 2004

1. Marwan Ali Omar Al Qawassimi
2. Mohammed Khamiss Mohammed Rabaa

Saturday, 10 July 2004

1. Hanin Awdah Abu Samahdanah (16 years old)
2. Mahmoud Awdah Abu Namuss
3. Mohammed Mehdi Abedrabbo Abu Zur
4. Hassan Nafed Abu Dalal

Sunday, 11 July 2004

Ibrahim Mahmoud Khalafallah

Tuesday, 13 July 2004

1. Noman Khaled Sadeq Tahaynah
2. Ibrahim Abdelhafeez Salem Ghaneem

Saturday, 17 July 2004

Malik Abdelsalam Nassredine

* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 3,162.

Sunday, 18 July 2004

1. Yasser Khalil Abed Tantawi
2. Alia Abdelrahman Ahmed Mannaa
3. Jameel Ismail Al-Farmaoui

Monday, 19 July 2004

1. Samar Omar Fuju
2. Bassel Mahmoud Abu Shihab
3. Saher Subhi Ahmed Ajjaj
4. Ossama Sameeh Daoud Zaytoun

Tuesday, 20 July 2004

Abdellatif Mahmoud Maletat Hanin

Thursday, 22 July 2004

1. Hazem Yasser Erhim
2. Abdelraouf Abu 'Assi
3. Hassan Jameel Al-Zaanin

Saturday, 24 July 2004

Hossam Helmi Mahmoud Nasser

Sunday, 25 July 2004

1. Hani Yussef Mohammed Aweedah
2. Abdelrahim Hassan Mustafa Shadid
3. Mahdi Raneq Naim Tambouz
4. Ahmed Nabeel Ahmed Barrouq
5. Said Jamal Said Abu Qamar
6. Mohammed Adnan Mahmoud Shanteer

Monday, 26 July 2004

1. Ghalya Hamad Yunis
2. Sarah Mahmoud Moussa Zaarab
3. Maher Hammad Abu Al-Atah
4. Fadi Ziad Al-Maghni

Thursday, 29 July 2004

1. Yunis Mustafa Ali Al-Abadla
2. Mohammed Riad Mahmoud Adwan
3. Zaher Issa Ribhi Al-Ashqar
4. Zaki Ali Mohammed Abu Zarqa
5. Omar Abdallah Omar Abu Sittah

Monday, 2 August 2004

1. Nimah Ibrahim Abu Sahloul
2. Ali Mousa Tamour
3. Issam Adnan Al-Mrrenakh
4. Mahmoud Nabeel Matar

Tuesday, 3 August 2004

1. Mohammed Yussef Abu Nada (18 years old)
2. Akram Mousa Al-Habibi
3. Maysara Omran Abu Suliemah

Wednesday, 4 August 2004

1. Awad Mousa Hashash
2. Kasem Saleh Al-Mutawak
3. Wael Mohammed Abu Al-Jidyan (15 years old)
4. Jihad Sami Al-Bas
5. Ali Abdelhamid Abu-'Ilbeh (10 years old)
6. Husam Mohammed Hussein Asous

Thursday, 5 August 2004

Iman Suleiman Barhoum (14 years old)

Friday, 6 August 2004

Mohammed Khaled Hamad (18 years old)

United Nations A/58/866–S/2004/631

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Security Council

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General Assembly
Fifty-eighth session
Agenda item 37
The situation in the Middle East

Security Council
Fifty-ninth year

Letter dated 4 August 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I provide you with the following summary of Israeli violations and acts of aggression against Lebanon:

Between 2225 and 2330 hours on 10 July 2004 Israeli enemy forces fired two illumination flares over Lebanese territory from one of their positions opposite the Wazzani region.

At 1540 hours on 11 July 2004 an Israeli gunboat in the open sea off Ra's Naqurah fired a number of rounds over the territorial waters. It returned between 2030 and 2330 hours and fired a number of illumination flares and rounds of fire in the direction of the said waters.

Between 0043 and 0420 hours on 12 July 2004 an Israeli reconnaissance aircraft overflew the sea off Damur and circled between Damur, Beirut and Sidon as well as over the sea at a distance of 5 miles from the coast, thus violating Lebanese airspace.

Between 0645 and 0840 hours on the same day an Israeli reconnaissance aircraft flew north-east over the sea off Sidon at a distance of 4 miles from the coast as far as a point west of Na`imah at a distance of 4 miles from the coast, thus violating Lebanese airspace.

Between 1110 and 1500 hours on the same day military aircraft overflew the occupied Shab`a Farms area at extremely high altitude. Between 2100 and 2115 hours two Israeli helicopters overflew the said area.

Between 0050 and 0530 hours on 13 July 2004, in the open sea off Ra's Naqurah, an Israeli gunboat fired a number of bursts over the territorial waters. Returning between 1240 and 1445 hours, it fired a number of rounds from medium-calibre weapons over the said waters.

Between 1045 and 1100 hours on 13 July 2004 four Israeli warplanes overflew the sea off Shikka at a distance of 12 miles from the coast, heading towards Shikka,

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flew over Shikka, Tripoli and Al-Arz (the Cedars), then returned in the direction of Byblos (Jubayl) and Beirut, thus violating Lebanese airspace.

At 1345 hours on 13 July 2004 Israeli enemy forces strafed the area around their position at Ruwaysat al-Alam, within the occupied Shab'a Farms area, with medium-weapons fire.

Between 2125 and 2200 hours on the same day two Israeli helicopters overflew the occupied Shab'a Farms.

At 1835 hours on 14 July 2004, in the open sea off Ra's Naqurah, an Israeli gunboat fired a number of rounds from medium-calibre weapons and an illumination flare over the territorial waters.

At 1400 hours on 15 July 2004 in the open sea off Ra's Naqurah, an Israeli gunboat fired an illumination flare over the territorial waters. Returning between 1135 and 2320 hours, it fired a number of rounds from medium-calibre weapons and an illumination flare over the said waters.

At 1850 hours on 15 July 2004 Israeli enemy forces strafed the area around their position on Radar hill, within the occupied Shab'a Farms area, with medium-weapons fire.

Between 2120 and 2359 hours on 15 July 2004 an Israeli reconnaissance aircraft overflew the sea off the Damur region at a distance of 12 miles from the coast, heading towards Beirut, then circled between Beirut and Damur and between Sidon and Beirut over the sea at a distance of 5 miles from the coast, thus violating Lebanese airspace.

Between 0700 and 1023 hours on 16 July 2004 an Israeli reconnaissance aircraft overflew the sea off Sidon heading in the direction of Beirut; reached a point west of Khaldah at a distance of 4 miles from the coast; headed out over the sea west of Khaldah at a distance of 5 miles from the coast; and circled between Khaldah and Beirut over the sea at a distance of 5 miles from the coast, thus violating Lebanese airspace.

Between 1155 and 1230 hours on 16 July 2004, in the open sea off Ra's Naqurah, an Israeli gunboat fired a number of rounds over the territorial waters. Returning between 1945 and 2220 hours, it fired a number of bursts over the said waters.

At 2344 hours on 18 July and at 2109 hours on 19 July 2004, in the open sea off Ra's Naqurah, an Israeli gunboat fired an illumination flare over the territorial waters.

Between 2140 and 0040 hours on the night of 18-19 July 2004 an Israeli reconnaissance aircraft overflew the sea off Sidon at an altitude of 24,500 feet, then circled over the sea between Sidon and Khaldah at a distance of 5 miles from the coast, thus violating Lebanese airspace.

Between 2045 and 2125 hours on the same date two Israeli helicopters overflew the sea off Ra's Naqurah, violating Lebanese airspace.

Between 1025 and 1135 hours on 20 July 2004 an Israeli reconnaissance aircraft flew at extremely high altitude over the Tibnin region. Between 1217 and 1545 hours on the same date, another Israeli reconnaissance aircraft overflew the

region of Rumaysh, heading towards the village of Alma al-Sha`b, and circled between those two areas, thus violating Lebanese airspace.

Between 1410 and 1810 hours on the same date an Israeli reconnaissance aircraft overflew the area of Alma al-Sha`b and Rumaysh, circled over them and over the area of Bint Jubayl, Juwayya and eastern Tyre at a distance of 5 miles from the coast, thus violating Lebanese airspace.

Between 1725 and 1840 hours on the same date an Israeli reconnaissance aircraft overflew the area of Rumaysh and circled over the region of Bint Jubayl, Juwayya, Ma`rakah and Qana, thus violating Lebanese airspace.

Between 1858 and 1923 hours on the same date two Israeli warplanes overflew the sea off Sidon heading towards Beirut, broke the sound barrier over the capital and headed towards Byblos (Jubayl), whereupon they circled over the sea. They then turned back in the direction of Beirut, over which they again broke the sound barrier, then headed out over the sea, thus violating Lebanese airspace.

At 1115 hours on 20 July 2004 Israeli enemy forces fired a tank shell from their position opposite the town of Ramiyah. The shell landed outside the village of Ayta al-Sha`b, in the locality known as Ruwaysat al-Hadab, causing the death of a member of the resistance.

At 1130 hours on the same date, reconnaissance aircraft overflew the areas of Rashaf and Bra`shit, while a warplane flew along the border. At 1135 hours Israeli enemy forces fired three tank shells from their position on Ramta hill in the occupied Shab`a farmlands, all of which fell in the area around Birkat al-Naqqar, in the said farmlands.

Between 1210 and 1255 hours on the same date two Israeli enemy helicopters overflew the villages of Ramiyah and Qawzah and fired five air-to-ground rockets at Tallat al-Khazzan and Ruwaysat al-Hadab, on the outskirts of the village of Ayta al-Sha`b. The shelling resulted in the outbreak of fires, which members of the Civil Defence worked to extinguish.

At 1300 hours on the same date, flying of military aircraft, gunship helicopter bombing and artillery strafing on Jabal Balat, between the villages of Marwahin and Ramiyah, were recorded. At 1330 hours an Israeli gunship helicopter fired an air-to-ground rocket at Tallat al-Kharrab, on the outskirts of Ayta al-Sha`b, without causing any significant losses.

These grave violations are part of a series of persistent and provocative Israeli violations of Lebanese territory, including air, sea and land, and go against the principles of international law, the resolutions of international legitimacy and your repeated calls for their cessation.

In view of these violations and the stepping-up of Israeli threats to Lebanon and the safety of its territory and its citizens, Lebanon calls upon the Security Council to deter and prevent Israel from such dangerous acts, which pose a threat to international security and peace. Lebanon places upon Israel full responsibility for any consequences to which those acts may give rise.

In drawing your attention to the gravity and possible consequences of such acts, I request to have this letter of complaint circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(*Signed*) Ibrahim **Assaf**
Chargé d'affaires a.i.

United Nations S/2004/632

Security Council

Distr.: General
10 August 2004
English
Original: French

Letter dated 9 August 2004 from the Permanent Representative of Côte d'Ivoire to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you, herewith, the text of the address to the nation delivered by the President of the Republic of Côte d'Ivoire, His Excellency Mr. Laurent Gbagbo, on 6 August 2004, on the occasion of the national holiday (see annex).

I should be grateful if you could arrange to have this letter and its annex circulated as documents of the Security Council.

(*Signed*) Philippe D. **Djangoné-Bi**
Ambassador
Permanent Representative

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Annex to the letter dated 9 August 2004 from the Permanent Representative of Côte d'Ivoire to the United Nations addressed to the President of the Security Council

Ladies and Gentlemen of Côte d'Ivoire,

My dear fellow citizens,

Dear friends of Côte d'Ivoire,

Tomorrow, our country, Côte d'Ivoire, is celebrating the forty-fourth anniversary of its independence. For the second consecutive year, the national holiday is taking place in a context of crisis. However, with each successive year, we are gaining confidence in ourselves and in our ability to safeguard the sovereignty of our country and our people.

Only a people that has faced great challenges can achieve greatness in history. This is a constant factor in the life of nations. The present crisis is therefore a defining ordeal, a rite of passage, which will only serve to strengthen the Ivorian people.

Tonight, on the eve of the commemoration of our accession to international sovereignty, I should like to express, on behalf of myself and all Ivorians, the Ivorian nation's appreciation to the international community for its ongoing assistance to enable Côte d'Ivoire to regain peace and the road to prosperity.

We gratefully recognize the international community's immeasurable contribution; as a result of its actions, the Ivorian parties were able to hold meetings in Lomé, Linas-Marcoussis and Accra. I should particularly like to extend my gratitude to all the international actors of the peace process:

- The United Nations and its Secretary-General, Kofi Annan;
- The Economic Community of West African States and its Chairman, my friend John Kufuor;
- The African Union, its Chairperson Olusegun Obasanjo, and the Chairperson of the African Union Commission, Alpha Oumar Konare;
- France, the European Union, the United States of America and Canada.

My dear fellow citizens,

We are moving forward! We are moving forward! We are on an inexorable march towards the end of the crisis. Together with the countries of the subregion, friendly nations and the entire international community, we are eliminating the final barriers, the final concerns and the final suspicions, so that we may regain each other's confidence and earn the confidence and assistance of all our foreign partners. That is the reason why I have taken the initiative of contacting everyone inside our country and in Africa.

My travels have taken me to Addis Ababa, Rabat, Bamako, Libreville, Brazzaville and Accra. This tour is not yet finished, which is why I have not yet talked about it. I wish to speak to the citizens of Côte d'Ivoire clearly and without ambiguity. I ask you to give me time to finish the tour I have decided to undertake before I talk about the ground covered, about the results of the various negotiations, particularly the agreement signed at the end of the Accra meeting held on 29-30 July

2004, with the participation of several African Heads of State and the Secretary-General of the United Nations.

We intend to implement this agreement, which is currently the subject of much discussion. I often listen to the comments with considerable amusement. However, it is not yet time for me to speak. I shall wait until the clamour has died down and I have completed the course, namely when we have put a definitive end to the war.

We shall no longer speak of hope but of a war that has ended. We shall point out the paths of renewal.

For the time being, I ask everyone to read just the text of the agreement signed at Accra. As in the past, we are the ones who have the solution. The Ivorians must realize that they hold the solution in their own hands.

I should like to remind everyone sent to Côte d'Ivoire, regardless of their level of responsibility, whether they are sent for the settlement of the crisis or simply to follow up decisions we have taken, that their mission is to help us. They must do their work, which is to help us, and avoid throwing oil on the fire by making intemperate remarks to the national media. Such actions are intolerable and will not be tolerated.

The situation is still delicate and we must all be careful. I am counting on everyone to show a sense of responsibility. I ask the Ivorians to remain calm.

My dear fellow citizens,

Dear friends of Côte d'Ivoire,

How can I thank those who are helping us without paying tribute to the Ivorians themselves? I thank them not only for their perseverance in resistance but also for their everyday efforts, which are enabling Côte d'Ivoire to remain standing and to keep the foundations of its national economy intact, in spite of the war and the suffering.

The national economy is functioning relatively well, notwithstanding a particularly unfavourable climate. The credit goes to the national and foreign economic actors who continue to have confidence in our country.

The difficulties caused by the war are well known; they are lack of security, particularly in the zones controlled by the rebels, and obstructions to the movement of goods and people; the fall in the price of raw materials, loss of confidence in market development; and a lack of foreign financial aid. To put an end to this state of affairs, we must make every effort to reunify our country and to achieve peace and national reconciliation.

We owe as much to our young people and to future generations. For that reason, I wish to congratulate all actors of the school system; for quite some time, their work has enabled Côte d'Ivoire to experience a relatively normal school year, where that is possible. I have had the pleasure of participating in and supporting a number of prize-giving ceremonies.

We have clearly proven that, in spite of great difficulties, we still strive for excellence. Education is the only hope for our youth and for our nation.

In this stage of our development, the responsibility of the political class, of any political class, is considerable. I am counting on each one of you to keep the hope of our youth alive.

God bless Côte d'Ivoire!

Laurent Gbagbo
President of the Republic

United Nations A/58/867–S/2004/633

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Security Council

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10 August 2004
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Original: Arabic

General Assembly
Fifty-eighth session
Agenda item 37
The situation in the Middle East

Security Council
Fifty-ninth year

Letter dated 4 August 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to provide you with a summary of Israeli violations and acts of aggression from 10 to 19 July and on 21, 26, 28, 30 and 31 July, and on 1 and 2 August 2004.

These grave violations are part of a series of persistent and provocative Israeli violations of Lebanese airspace and territory and are contrary to the principles of international law, the resolutions of international legitimacy and your repeated calls for their cessation.

In view of these violations and the stepping up of Israeli threats to Lebanon and the safety of its territory and its citizens, Lebanon calls upon the United Nations to deter Israel and warn it against such dangerous acts, which pose a threat to international security and peace. Lebanon holds Israel fully responsible for any consequences to which such acts may give rise.

In drawing your attention to the gravity and possible consequences of such acts, I request to have this letter of complaint circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(*Signed*) Ibrahim **Assaf**
Chargé d'affaires a.i.

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Annex to the letter dated 4 August 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

Israeli violations of Security Council resolution 425 (1978) during the period from 10 July to 2 August 2004

[Original: English]

10 July 2004

Between 2225 and 2230 hours, Israeli occupation forces fired two flare shells over Lebanese territory from one of their positions facing the Alwazani area.

11 July 2004

At 1540 hours, an Israeli gunboat in Lebanese territorial waters facing Ra's Naqoura fired several bursts of medium machine-gun fire on the open sea, and between 2030 and 2330 hours fired many flare shells and several bursts of medium machine-gun fire on the open sea.

12 July 2004

Between 0043 and 0420 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Damour, and flew in a circular motion over Beirut-Saida.

Between 0645 and 0840 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Saida, headed north to Naameh, then returned south.

Between 1110 and 1120 hours, an Israeli warplane violated Lebanese airspace at high altitude over the Shab'a farms.

Between 2100 and 2115 hours, two Israeli helicopters violated Lebanese airspace at a medium altitude over the Shab'a farms.

13 July 2004

Between 1045 and 1100 hours, four Israeli warplanes violated Lebanese airspace at different altitudes, entering from over the sea facing Chekaa, headed to Tripoli and Al Arz then to Jbeil-Beirut.

At 1345 hours, Israeli occupation forces raked by medium machine-gun fire the surroundings of their position in Rweiset Alalam inside the Shab'a farms.

Between 0050 and 0530 hours, an Israeli gunboat in Lebanese territorial waters facing Ra's Naqoura fired several bursts of medium machine-gun fire on the open sea, and between 1240 and 1445 hours fired several bursts of medium machine-gun fire on the open sea.

14 July 2004

At 1835 hours, an Israeli gunboat in Lebanese territorial waters facing Ra's Naqoura fired a flare shell and several bursts of medium machine-gun fire on the open sea.

15 July 2004

At 0014 hours, an Israeli gunboat in Lebanese territorial waters facing Ra's Naqoura fired a flare shell, and between 1135 and 2320 hours fired a flare shell and several bursts of medium machine-gun fire on the open sea.

At 1850 hours, Israeli occupation forces raked by medium machine-gun fire the surroundings of their position in Radar inside the Shab'a farms.

Between 2120 hours and midnight, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Damour, and flew in a circular motion over Saida-Damour and Beirut.

16 July 2004

Between 1155 and 1230 hours and between 1945 and 2220 hours, an Israeli gunboat in Lebanese territorial waters facing Ra's Naqoura fired several bursts of medium machine-gun fire on the open sea.

17 July 2004

Between 0230 and 0400 hours, an Israeli gunboat in Lebanese territorial waters facing Ra's Naqoura fired two flare shells on the open sea.

At 0840 hours, Israeli occupation forces positioned in Rweiset-Alalam inside the Shab'a farms raked by fire the surroundings of this position and, at 2249 hours, Israeli forces fired one flare shell over the Fatima gate.

Between 2140 and 2250 hours, two Israeli helicopters violated Lebanese airspace at medium altitude over the Shab'a farms.

18 July 2004

At 1424 hours, Israeli occupation forces, positioned in Ramta inside the Shab'a farms, fired several bursts of medium and light machine-gun fire towards Halta farm in the liberated area and damaged three houses and one agricultural machine.

At 2244 hours, and on 19 July at 2109 hours, an Israeli gunboat in Lebanese territorial waters facing Ra's Naqoura fired one flare shell on the open sea.

19 July 2004

Between 0140 and 0735 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Saida, headed to Khalde and flew in a circular motion over Beirut Damour.

Between 0650 and 0835 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Damour, headed to Khalde and flew in a circular motion over Beirut Damour.

At 1435 hours, Israeli occupation forces positioned in Rweiset-Alalam inside the Shab'a farms raked by fire the surroundings of this position.

Between 2130 and 2400 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Khalde, and flew in a circular motion over Khalde-Saida.

21 July 2004

Between 1020 and 1230 hours, Israeli warplanes violated Lebanese airspace at different altitudes over the Shab'a farms — Hasbaya Bent Jbeil-Naqoura and Jezzine.

Between 1102 and 1124 hours, two Israeli warplanes violated Lebanese airspace at different altitudes over El-Khiam, headed north and flew in a circular motion over Chekaa and Jounieh.

Between 1110 and 1225 hours, two Israeli warplanes violated Lebanese airspace at different altitudes over Kfarchouba, and flew in a circular motion over Iqlim El-Kharoub and south Lebanon.

Between 1143 and 1148 hours, two Israeli warplanes violated Lebanese airspace at different altitudes over Saida.

Between 1230 and 1500 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, and flew in a circular motion over Hasbaya and the Shab'a farms.

Between 1230 and 1500 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude over Bent Jbeil, and flew in a circular motion over south Lebanon.

26 July 2004

Between 0855 and 1250 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Sarafand, and flew in a circular motion over Bekaa and Elchouf.

At 1014 hours, Israeli warplanes violated Lebanese airspace at high altitude over Dahr-Elbaidar.

Between 2048 and 2305 hours, an Israeli drone aircraft violated Lebanese airspace, entering from over the sea facing Damour, headed east and flew in a circular motion over Damour and then left towards the sea from above Saida.

Between 2302 and 2332 hours, an Israeli drone aircraft violated Lebanese airspace, entering from over the sea facing Damour, headed east and flew in a circular motion over Saida-Damour.

28 July 2004

Between 1130 and 1200 hours, four Israeli warplanes violated Lebanese airspace at different altitudes as follows:

- Two warplanes entered from over the sea facing Tripoli and flew in a circular motion over Baalbeck.

- Two warplanes entered from over the sea facing Jbeil and flew in a circular motion over Jbeil and Chekaa.

Between 2300 and 0400 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Saida, and flew in a circular motion over Hamana-Chtoura.

30 July 2004

Between 0155 and 0235, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Saida, and headed to Beirut.

Between 2050 and 2150 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Damour, and flew in a circular motion over Damour-Saida.

Between 2333 and 0025 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Beirut, and headed east.

31 July 2004

Between 0655 and 0805, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Sarafand, headed to Beirut and flew over Beirut-Khalde and Sarafand.

Between 1244 and 1348 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Sarafand, headed to Beirut and flew over Beirut-Naameh and Naqoura.

Between 1902 and 1958 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Tyre, headed to Beirut and flew over Beirut-Khalde and Naqoura.

Between 2135 and 2354 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Damour, headed east and flew over Damour and Naameh.

1 August 2004

On 31 July 2004 between 2333 and 1130 (the next day), an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Saida, headed to Beirut and then turned back to Damour and left from above Naqoura over the sea.

Between 1050 and 1415 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude, entering from over the sea facing Saida, headed to Beirut and flew in a circular motion over Beirut and Damour and left from above Naqoura over the sea.

Between 2220 and 0030 hours, an Israeli drone aircraft violated Lebanese airspace at medium altitude over Beirut, headed east and flew in a circular motion over Beirut and Batroun and left from above Naqoura over the sea.

2 August 2004

Between 1935 and 2015 hours, two Israeli helicopters violated Lebanese airspace at medium altitude over the Shab'a farms.

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Security Council

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The situation in Afghanistan and its implications for international peace and security

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan

Security Council
Fifty-ninth year

The situation in Afghanistan and its implications for international peace and security

Report of the Secretary-General*

Summary

Political developments during the period under review have tended to focus on the holding of elections, which is the last formal step in the Bonn process. Some of the potential impediments to the conduct of elections for the President and lower house of parliament in September, highlighted in my report of 19 March 2004 (A/58/742-S/2004/230), in particular the difficulty of allocating parliamentary seats among provinces in the absence of convincing census data, have proved to be insurmountable. As a result, the Joint Electoral Management Body took the decision, after consultation with the Government and political parties and based on technical criteria, to hold presidential elections on 9 October and to postpone parliamentary elections until April 2005. The challenges are formidable not only in terms of creating conditions for free and fair elections but also in terms of creating the tools of governance that will enable the future elected bodies to exert their authority effectively. The commitments made by the Afghan authorities and the international community at the Berlin conference provided a comprehensive strategy for moving the peace process forward. To date delivery on those commitments has been uneven.

* The submission of the present report was delayed in order to reflect the latest developments in the electoral process.

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The increasingly tenuous security situation continues to threaten the gains of the Bonn process. Incidents have involved terrorist as well as factional and criminal activities. Those acts of violence carried out with seeming impunity have resulted in the loss of too many Afghan lives and increasingly of those of international assistance workers. They have hindered the establishment of sustainable national institutions and the delivery of economic and social assistance. The report concludes that, for the peace process to move forward, extremism, factionalism and the illicit drug trade must be addressed resolutely.

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1536 (2004) of 26 March 2004 and General Assembly resolutions 58/27 A and B of 5 December 2003. It covers the period since the previous report, dated 19 March 2004 (A/58/742-S/2004/230), to 1 August. During that period, the Security Council also received oral briefings on 24 March (S/PV.4931), 6 April (S/PV.4941), 27 May (S/PV.4979), 18 June and 14 July (the latter two were received in private consultations). Matters covered in the open briefings will not be repeated in the present report, except in summary form.

II. Implementation of the Bonn Agreement

A. Berlin conference

2. The Berlin conference (31 March-1 April), sponsored by the Governments of Afghanistan, Germany and Japan, together with the United Nations, provided an important opportunity to evaluate the progress made in the Bonn process and to determine the path forward. All participants agreed on the significant challenges to the implementation of the peace process, the steps to be taken during the electoral process in order to ensure its integrity, an outline of the post-electoral agenda, and the need to reaffirm the partnership between Afghanistan and the international community. In its work plan, endorsed by the conference, the Government of Afghanistan laid out a programme of political, social and economic reform that would have to be implemented to complete the country's transition from conflict to sustained peace and development.

3. An indispensable feature of the international community's partnership with Afghanistan is the financial support required to ensure the post-conflict transition. At the Berlin conference, the Government of Afghanistan presented a report entitled "Securing Afghanistan's future", which laid out a long-term programme of public investment and policy reform to make Afghanistan fiscally self-sufficient. The report estimated that $27.5 billion would be needed over seven years to raise annual per capita gross domestic product (GDP) to $500, make significant progress towards the Millennium Development Goals (see General Assembly resolution 55/2), and progressively eliminate the illicit drug economy. The international community responded generously by pledging some $8.2 billion towards the reconstruction of Afghanistan from 2004 to 2007.

B. Voter registration

4. The voter registration process that began on 1 December 2003 has resulted in the registration of and issuance of voter cards to some 8.7 million out of an estimated 9.8 million voters at 29 July. Women account for some 41 per cent of registered voters.

5. The second phase of voter registration began on schedule in May 2004. As previously reported, that phase involved the gradual expansion of the programme from the eight regional centres to all provincial capitals and from there to district centres. From an average of 200 teams registering at 80 sites in the first phase, the

registration process expanded in the second phase to 3,500 teams at 1,800 sites, requiring a staff of over 14,000 registration workers, nearly half of whom were women. Contrary to initial expectations, the participation of women increased as voter registration expanded beyond the main urban centres. At the end of the first phase, 29 per cent of registrants were women; that figure then rose to over 41 per cent. In the second phase, there are, nonetheless, significant regional variations: in the south women represent only 20 per cent of total registrants, while in the Central Highlands more women have registered than men.

6. The regional imbalances in total registration rates are also of concern. In some districts in the south, chronic insecurity has effectively deprived potential voters of the opportunity to register. While registration in most areas closed at the end of July, in some districts, which have been so far underserved by registration teams, activities may be extended for a few weeks. This will see measures taken to redeploy security forces to those districts in an effort to enable registration teams to operate. Clearly, similar arrangements will also be necessary for the conduct of elections.

7. Memoranda of understanding providing for out-of-country registration for the presidential election were recently concluded with the Governments of the Islamic Republic of Iran (12 July) and Pakistan (20 July). This process must now, of necessity, be completed in a very compressed time frame.

C. Elections

8. In March 2004, following broad consultations, the Government made public its intention to hold presidential and lower house parliamentary elections simultaneously in September 2004. The upper house elections, which require the prior election of advisory councils in nearly 400 districts, were delayed until the spring of 2005.

9. After two months of discussion, the Electoral Law was passed by the Cabinet on 27 May 2004, thus codifying the electoral rules for the transitional period. The discussion centred on the desire of the Government to ensure that a direct link was established between voters and their representatives in parliament and that the electoral system be as simple as possible for voters. The Cabinet opted for a system of single non-transferable votes with multiple-seat constituencies as the best way to reconcile those requirements, given the political impossibility of creating single-member constituencies at the present time. The single non-transferable vote was used for the election of delegates to the Emergency and Constitutional Loya Jirgas. In accordance with the constitution, the law also ensures that, on average, 2 seats per province will be held by women, or 68 of the total 249 seats in the lower house.

10. On 5 June, the Decree on Provincial Boundaries, delineating administrative divisions for electoral purposes, was signed, as required by the Electoral Law. Two new provinces (Panjshir and Daikundi) were created under the decree. The law also required population figures for each province to be provided by the Government 30 days after the boundary decree in order to apportion seats in the legislature. The latter requirement could not be fulfilled given the absence of reliable data and taking into account the very high political sensitivity of population figures. On 10 July, the Cabinet decided to base provincial population figures on the 1979

census and requested the United Nations to provide technical assistance to update the figures and to supervise the publication of the final outcome.

11. According to the Electoral Law, the Joint Electoral Management Body must set the date for elections 90 days prior to the election. While the constitution provided that every effort be made to hold the presidential and parliamentary elections together, the Management Body was compelled to take into account a number of legal and technical factors that affected the basic credibility of the elections and, as previously reported, the parliamentary elections in particular. For parliamentary elections to be held before the month of Ramadan, which starts in mid-October 2004, the registration of candidates for the lower house of parliament would have had to have been completed by the end of July in all 34 provinces. That process could not begin, however, before population figures were available for all provinces, which, as noted above, was in the end impossible. Holding elections during Ramadan was generally considered inadvisable and holding them directly afterwards could have led to the disenfranchisement of voters owing to the inaccessibility of large parts of the country because of winter conditions. The Management Body considered the possibility of postponing both elections until next spring in order to comply with the constitution's preference for simultaneous elections. It decided against that option, however, because the June 2002 Emergency Loya Jirga had elected the President and endorsed the Cabinet for a two-year mandate and an extension of that mandate for another 10 months was not considered to serve the interest of stability. As a result, on 9 July the Management announced that the elections would be separated. The presidential election would be held on 9 October 2004 and elections for both the lower and upper houses of parliament would be held in April 2005.

12. The provision of adequate security for the presidential elections is essential. Five thousand polling sites will operate simultaneously across the country, requiring a security deployment several times larger than that required during voter registration. The presidential candidates must be able to campaign safely in the month before the election. The coordination structures between domestic and international security forces established during voter registration are being built on and continually improved. To ensure the conditions for free and fair elections, however, a net increase in international security assistance remains indispensable. It is important that such assistance be available in Afghanistan and in time to protect the electoral campaign that will start in early September and that it remain beyond the holding of the parliamentary elections.

13. In accordance with the timelines established by the Joint Electoral Management Body (see annex), nominations for presidential candidates closed on 26 July, with 23 candidates having submitted applications to contest the ballot. With regard to the registration of political parties by the Ministry of Justice, to date, 30 political parties have been formally registered by the Ministry out of the 62 that applied. One of the more difficult aspects of the registration process has been implementing the legal provision barring from registration political groupings that have or are part of non-official military organizations. The vetting process has inevitably been cumbersome and politically difficult, in particular as some of the main partners in the Government are, or have been, heads of non-official military organizations themselves.

14. The majority of registered parties lack the most basic resources to run an effective campaign. The United Nations Assistance Mission in Afghanistan (UNAMA) has called upon donors to assist these registered parties, and a few international organizations have held workshops with parties to achieve this.

Campaign for the verification of political rights

15. As requested by the Government of Afghanistan on 20 June, the Afghan Independent Human Rights Commission and UNAMA began an open-ended process to evaluate the exercise of political rights throughout Afghanistan, with particular focus on the freedoms of expression, assembly, association and movement. That exercise will assist Afghan authorities to fulfil their obligations with regard to the electoral process, in particular their duty of impartiality and their mandate to protect and promote the exercise of political rights by voters and candidates alike. Joint public reports including recommendations, will be issued on a regular basis with a view to helping to enhance conditions for a free and fair election.

16. The first public report on the findings of the verification campaign was presented to the President, the international community and the media on 16 July. That report, which will be widely disseminated, describes a nationwide pattern of self-censorship among political formations, which are often not willing to take advantage of the freedoms granted under the new constitution for fear of suffering reprisals. That fear is often warranted since local authorities frequently consider independent political organizations and views to be a form of subversion that must be contained or suppressed. A second feature of the political environment at the national level is the lack of information and understanding, in particular in rural areas, of the electoral process. Clearly much more civic education is required to provide voters with a full understanding of the process in order to equip them to fully exercise their political choice. A third feature is the strict control that local factions exercise over government radio and television outside Kabul. Beyond these common features, the political environment varies widely from one province to the next. It is particularly restrictive in provinces like Zabul, where violent extremism makes electoral participation almost impossible (voter registration, for example, has reached only 12 per cent of the estimated voters in Zabul). It is also a matter of great concern in Herat where even political parties registered by the Ministry of Justice are being prevented from opening offices and expressing themselves. Political expression is, understandably, approached with caution. However, the process has seen some progress. In the north, the north-east and the Central Highlands, there is a gradual emergence of pluralistic political life and the beginning of a process of political organization even though political expression is still approached with caution. Finally, in Kabul, Nangarhar and Khost, there is a sense of greater freedom of expression, with political groups and the media operating relatively unhampered. The report also contains a number of recommendations to address the problems identified during the investigation. UNAMA and the Afghan Independent Human Rights Commission will follow the implementation of those recommendations and prepare a second report in mid-August.

D. Overall security situation

17. The security situation in Afghanistan is volatile, having seriously deteriorated in certain parts of the country. Attacks on national and international forces and on

electoral, government and humanitarian workers and their premises in southern Afghanistan have intensified. At the same time, in a disturbing development, several of the most serious acts of violence since the start of the Bonn process took place in the north and west of the country, areas that had been considered low-risk. The protagonists of this destabilizing activity range across a gamut of interests hostile to the peace process, from extremist elements (Al-Qaida and the Taliban, whose numbers include cross-border insurgents), to factional forces and criminals, including some involved in drug trafficking.

18. Acts of violence have, increasingly, been directed at the staff and offices of the electoral secretariat and United Nations workers. The electoral secretariat suffered its first fatalities in the east, where four Afghan female registration staff were killed in two separate bomb attacks on the vehicles in which they were travelling to registration sites in Nangarhar province on 26 June and 8 July. In the south, a team leader of the Joint Electoral Management Body in Uruzgan province and a village chief travelling on motorbikes were ambushed and shot dead by unidentified assailants on 24 July. Four days later, a bomb exploded at a voter registration site located in a mosque in Ghazni Province, killing two nationals, including a staff member of the Management Body, at a voter registration site. The incident also left seven other Afghans wounded. These tragic events were preceded by several attacks on electoral and United Nations workers; fortunately, in the latter case there were no casualties or serious damage.

19. A protracted attack on an electoral convoy, in clearly marked United Nations vehicles with a police convoy, took place in broad daylight in the south-east on 6 June: the assailants employed improvised explosive devices, rocket-propelled grenades and light weaponry. Rocket-propelled grenades were fired at a United Nations Mine Action Centre for Afghanistan demining convoy in the central and south-eastern regions on 12 June and on a compound of the Office of the United Nations High Commissioner for Human Rights (UNHCR) in the southern province of Kandahar on 18 June.

20. The view of the north as the safest area of the country was seriously undermined by a succession of violent acts. A brutal attack left 10 Chinese construction workers dead in the city of Jilawugir (Baghlan Province) on 10 June; five days later, an attack with improvised explosive devices in the town of Kondoz killed four Afghans, including the driver of a German provincial reconstruction team vehicle that was passing through the area, an improvised explosive device exploded next to a vehicle belonging to the United Nations Office on Drugs and Crime in Takhar Province on 10 June; and, throughout the period, a significant number of improvised explosive devices were laid along roads in the north-east.

21. On 2 June, gunmen in the west ambushed a Médecins Sans Frontières vehicle travelling in Badghis Province, and at close range shot and killed five staff of the organization, three international (from Belgium, the Netherlands and Norway) and two Afghans. Four days later a grenade was thrown during the night into the compound of a non-governmental organization in Badghis; fortunately no one was injured.

22. In addition to these attacks, the north and west of the country have experienced a level of factional fighting unprecedented since the fall of the Taliban and efforts to restore order have seen several emergency deployments of the Afghan National Army. As reported to the Security Council on 24 March (see S/PV.4931), fighting

between the forces loyal to Governor Ismail Khan and General Zahir involving the use of heavy weaponry took place in the town of Herat on 21 March. Some 50 to 100 people were reportedly killed in the clash, including the central Government's Minister of Aviation and a son of the Governor; while those involved dispute the facts surrounding the incident, the conflict resulted in General Zahir and his forces taking refuge in the neighbouring province of Badghis. In a negotiated agreement between the central Government and Governor Khan, troops were deployed to Herat to help restore order. Herat's intelligence chief was implicated in the incident and dismissed; however, his successor, appointed by the central Government, was denied access to his office by the Governor. On 4 July, commanders loyal to the Governor ransacked the intelligence chief's temporary office and attacked his staff, critically injuring two.

23. In Faryab Province, factional tensions culminated on 8 April when the Governor and senior officials of his administration were forced out of office by a violent crowd affiliated with the Jumbesh faction that accused them of siding with an opposing faction. During the incident, the Governor was protected by elements of the British provincial reconstruction team from Mazar-e-Sharif. The central Government deployed Afghan National Army troops to the area to restore order. Nevertheless, factional elements have thwarted the efforts by the central Government to install a new governor. Similarly, in Samangan and Sar-i-Pul, factional elements continue to prevent the governors designate from taking up their posts.

24. On 17 June, the Afghan National Army was again deployed following factional fighting, involving heavy weaponry, between the commander of the main military unit in Ghor and supporters of the provincial Governor. A presidential delegation, supported by the presence of the Afghan National Army, assisted in negotiating a settlement, which resulted in changes in senior administrative posts in the province. During the period under review there have also been sporadic clashes in Farah, Balkh and Daikundi.

25. Against this background of security concerns, Médecins Sans Frontières decided to withdraw from Afghanistan after more than two decades of uninterrupted presence in the country. This illustrates how much more work must be done to restore a security environment consistent with the expansion of humanitarian and development activities.

26. Overall, it appears that following the successful elimination by Governor Ismail Khan of his rivals in Herat, some factional leaders have concluded that the fragile inter-factional power-sharing arrangements that have been in place in several provinces of the north since 2002 can be overturned through military means and with impunity. There is a risk that further destabilization could occur in other provinces in the north and north-east where similar inter-factional arrangements exist.

27. The deterioration of the security situation must be addressed resolutely. This requires increased international forces, sufficient in number and area of responsibility, and the full cooperation of neighbouring States. I therefore welcome the recent decision by the North Atlantic Treaty Organization (NATO) to increase its troop strength to focus on improving security and I trust that it will soon be implemented.

E. Afghan National Army

28. Regarding the development of the Afghan National Army, led by the United States of America with the support of France, the central corps now consists of 15 battalions in three brigades, with a strength of almost 9,800 (including 118 staff officers), against its target strength of 70,000 to be achieved by 2009. Training is currently being undertaken by 3,000 recruits. Measures taken to improve the quality of recruits and reduce attrition rates continue to be implemented. New volunteers are now being recruited at the newly established national army volunteer centres currently in 10 regional centres, and emphasis is being placed on training Afghans to recruit the recruits. Attrition has now been reduced from 15 per cent in November 2003 to a current 1.3 per cent per month.

F. Disarmament, demobilization and reintegration

29. There has been insufficient progress in the disarmament, demobilization and reintegration of factional forces. The commitment made at the Berlin conference was to achieve the disarmament, demobilization and reintegration of no less than 40 per cent of the stated troop strength of 100,000 Afghan Militia Forces, as well as the cantonment of all heavy weapons under credible supervision by June, ahead of the 2004 elections.

30. As at 31 July, the number of men who had turned in their weapons and entered the disarmament, demobilization and reintegration programme stood at some 12,245 or, based on Ministry of Defence figures, a little over 12 per cent of the Afghan Militia Forces' troop strength. In the conduct of the disarmament, demobilization and reintegration exercise led by Japan, however, it became evident that the actual troop strength was significantly less than 100,000 and might stand at 60,000 or less, in which case the actual percentage of disarmament, demobilization and reintegration achieved to date would be closer to 20 per cent. It is worth noting that the participation of the various army corps in the exercise has been very uneven. Afghan Militia Forces units in the south-east have been practically demobilized and, in the south, disarmament, demobilization and reintegration was discontinued when it was assessed that a minimum number of soldiers from the Afghan Militia Forces units was required in the fight against the Taliban and Al-Qaida. Among the corps and units whose contribution to disarmament, demobilization and reintegration — relative to their strength — was inadequate, were the forces loyal to the Minister of Defence. These include the two largest corps of the Afghan Militia Forces, the central corps in Kabul and the corps in Parwan; only 5 per cent of these units have entered the disarmament, demobilization and reintegration programme.

31. Of the total number of former officers and soldiers who have been demobilized, some 10,380 have started their reintegration in the following areas: 40 per cent in agriculture; 39 per cent in vocational training such as carpentry, metal work or tailoring; almost 10 per cent in demining; 6 per cent in small businesses; 5 per cent in the Afghan National Police, the Afghan National Army and contracting teams.

32. Recent bouts of factional fighting involving the use of heavy weapons (referred to in paras. 22-24) underscore the urgent need to accelerate the cantonment process. After a delayed start, resulting in part from the lack of cooperation by some

senior officials and commanders, a survey was finally completed by Ministry of Defence personnel with the support of the Afghan New Beginnings Programme, the provincial reconstruction teams and UNAMA at the end of July. A total of 6,099 heavy weapons were recorded, with 1,657 deemed to be operational, 3,071 classified as reparable and 1,371 classified as not usable. Cantonment has started in four regions — Gardez, Kabul, Shiberghan and Mazar-e-Sharif — yielding a total of 1,461 weapons systems or a little over 20 per cent of the numbers surveyed. The problem of guarding of the cantonment sites is yet to be resolved. An additional problem that must also be addressed is the existence of large amounts of ammunition, often not properly stored or guarded, in many parts of the country.

G. Afghan National Police

33. The need for Afghanistan to have a trained and properly equipped national police force is acute, both for long-term state-building and in particular in the context of the upcoming elections. The existing force suffers from a shortage of trained policemen and equipment and weak command and control structures. Efforts to train a national police force have intensified through the operation of five regional training centres nationwide. These are in addition to the German-supported Police Academy and the United States-led Central Training Centre, both in Kabul. To date some 19,500 police have received training, which includes an eight-week basic Central Training Centre/regional training centre course, a four-week course for illiterate officers and a two-week transitional integration programme for veteran officers without any formal police training. Of those trained, some 4,000 have received at least one year's training at the Police Academy. The target strength of the force provides for a core of the 47,500 national police, 12,500 border police and 2,500 highway police to be reached by the end of 2005.

34. There are as yet no facilities at the provincial and district level to provide new graduates with on-the-job training and mentoring. Provincial reconstruction teams recently made a commitment to help, to the extent resources permitted and in their area of operation, to support and mentor the police. They are also helping finance the building of some government offices and police stations and filling key logistic and equipment shortfalls. This assistance is encouraging, but by its nature can only address part of the overall need.

35. International support for Afghanistan's police was reaffirmed and increased through the holding of the Doha conference on police reconstruction in Afghanistan on 18 and 19 May. Representatives from 26 countries met in Qatar at the invitation of the Governments of Afghanistan, Germany, Qatar and the United Nations, and confirmed that $350 million in international resources would be earmarked for police programmes over the next few years.

36. An immediate need is the provision of some $148.6 million in donor funding for the Law and Order Trust Fund for Afghanistan, administered by the United Nations Development Programme (UNDP), to cover salaries, equipment, institutional development and rehabilitation of police stations until 31 March 2005. To help improve the timeliness of salary payments — delays of two to three months are not uncommon — a "smart" identification card system is currently being tested in Kabul.

H. Justice sector reform

37. While progress remains slow, several initiatives have been taken to reform the system of justice: a year-long training programme organized by the Judicial Reform Commission for young professionals was recently concluded; the International Development Law Organization continues to run courses for judges, prosecutors and personnel from the Ministry of Justice from Kabul and the provinces; and Italy, as lead nation, has organized a six-week training programme for 120 professionals on the interim code of criminal procedure for judges, prosecutors, defence lawyers and policemen. Other initiatives include the establishment of a department for the administration of juvenile justice within the Ministry of Justice and the start of a pilot legal aid project. In the area of law reform, drafts of a penitentiary law, a juvenile code and by-laws for the new code of criminal procedure are being developed.

38. Because of competing fiscal priorities facing the Government and the low level of donor support for the rehabilitation of the corrections system, very limited progress has been possible in that area. There is still little capacity at the district level for the police to appropriately detain accused persons at the time of arrest. These limitations notwithstanding, restructuring of corrections facilities is under way in Kabul and the refurbishment of the female detention centre in Kabul has been completed.

39. Progress is hampered by a lack of coordination between the main justice institutions; the inroads made by the drug mafia at many levels within the institutions of State, the slow expansion of effective national security institutions, interference by civil and military authorities in the administration of justice, as well as a lack of adequate financial support and coordination of reform programmes in the security sector.

I. Counter-narcotics activities

40. In 2003 Afghanistan experienced its second largest opium harvest since 1999, estimated at 3,600 tons of opium, which accounted for more than three quarters of the world's illicit opium production. Despite efforts made to counter the trend, all indicators point to yet another large increase in the harvest for 2004. The widespread cultivation and processing of opium poppy and trafficking in opium, together with the growing involvement of civilian, military and police authorities in the drugs trade, threaten to bring closer the worst-case scenario of Afghanistan becoming a State in which the economy is dominated by drug trafficking. The burgeoning illicit drug trade is threatening reconstruction efforts and state-building in the country as well as longer-term peace and stability in the region. It is also undermining legitimate economic activities, the establishment of the rule of law and is responsible for supporting factional agendas and anti-government elements. The illegal trade is also impeding genuine disarmament, demobilization and reintegration as those involved in the drug economy are developing and nurturing the private militias needed to run a drug business.

41. The Ministry of the Interior has taken a number of initiatives to stem this illicit economy. Its Central Eradication Planning Cell launched a campaign for the eradication of opium poppy in 16 key opium-producing provinces in April 2004.

Implemented by the governors on the basis of targeted and uncompensated eradication, the campaign is nearing completion for 2004. Preliminary reports indicate that the endeavour may have been largely ineffective, as implementation was often not carried out in line with the targeted campaign or it took place in diseased or poor-yield opium poppy fields. In addition to the governor-led campaign, the Central Poppy Eradication Force, consisting of police officers from the Ministry of the Interior, began conducting eradication in May 2004 and has eradicated over 600 hectares of opium poppy in Wardak Province.

42. The operation of clandestine laboratories processing opium into heroin or morphine and the trafficking in those narcotic substances to the country's external borders continue. The Special Narcotics Force of the Ministry of the Interior, created in January 2004 to conduct interdiction operations, has been active in the destruction of laboratories and in the seizure of opiates. However, in view of the magnitude of the problem, greater determination and larger numbers of enforcement personnel than are currently assigned to this task are necessary to make a significant impact in interdicting illicit drugs.

43. Steps have also been taken to improve coordination of the various initiatives being undertaken in the fields of eradication and interdiction. A Counter-Narcotics Steering Group, chaired by the National Security Adviser and run by the Government's Counter-Narcotics Directorate with the assistance of the United Kingdom of Great Britain and Northern Ireland and the United Nations Office on Drugs and crime, was set up in May 2004. Pursuant to the Declaration on Counter-Narcotics within the Framework of the Kabul Declaration on Good-Neighbourly Relations, signed at the Berlin conference, Afghanistan and its six neighbours met on 30 June to discuss the practical support they could provide to implement the Declaration, which provided, among other things, for increased collaboration between Afghanistan and its neighbours in the fight against narcotics and the establishment of a security belt around Afghanistan to assist in interdiction efforts. It was agreed that the initiative would be pursued further through multilateral and bilateral channels.

J. International Security Assistance Force commanded by the North Atlantic Treaty Organization

44. In the Berlin Declaration, the Government of Afghanistan repeated the request made by the participants at the Bonn conference for international forces to be deployed in Afghanistan until the new Afghan security forces are sufficiently constituted and operational. My successive Special Representatives for Afghanistan and I have, since the Bonn talks, strenuously and repeatedly called for more international forces, above and beyond the provincial reconstruction teams, in the conviction that their presence would make the difference between success and failure in the Afghan peace process. The announcement at the NATO summit in Istanbul on 28 and 29 June that the Organization would not only take on the command of four new provincial reconstruction teams but would also deploy extra troops to support the upcoming elections was therefore welcome. I trust the deployment of these additional resources in Afghanistan will be adequate in number and area of responsibility.

45. Decisions taken by NATO in Istanbul will enable it to complete the first phase of expansion of the International Security Assistance Force, which involves, in addition to its provincial reconstruction team in Kondoz, taking command of existing provincial reconstruction teams in Mazar-ie-Sharif and Maimana and establishing new ones in Faizabad and Baghlan. NATO has also decided to establish a forward support base at Mazar-ie-Sharif, temporary satellite bases in Sar-i-Pul, Samangan and Shiberghan; a quick reaction force and an additional battalion-size operational reserve; and five infantry companies of around 100 soldiers to support each of the provincial reconstruction teams.

46. These extra forces will be vital to bolster the capacity to provide direct security assistance and to support the efforts of provincial reconstruction teams in the electoral process. In the past months, it has already become evident that provincial reconstruction teams and the Afghan National Army are not sufficient to respond to the security demands generated by the electoral process. We trust therefore that NATO will be able to deploy extra forces ahead of the electoral campaign, which will start in early September. We continue to welcome with appreciation the work being carried out by NATO and coalition planners in defining the security assistance that will be provided for elections and that will assist the Joint Election Management Body in finalizing its planning for the conduct of the ballots.

K. Human rights situation

47. The human rights situation in Afghanistan is a continuing source of serious concern. In the north, north-east and west, commanders act with impunity and are seen by many as being responsible for a wide range of repressive activities. The role of local authorities in carrying out violations is particularly worrisome as their involvement in acts of intimidation, extortion, arbitrary arrest, illegal detentions and forced occupation strengthens perceptions of impunity and tarnishes people's views of the central Government. The reappointment of confirmed human rights violators to government posts compounds this problem.

48. The first post-Taliban execution was carried out on 19 April 2004 when a military commander from Paghman was sentenced to death in March 2003 after being tried and convicted of killing 20 people between 1992 and 1996. The United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions urged that the death penalty be suspended and a moratorium on executions be put in place until basic standards for imposing the death penalty could be met. The Government has stressed that the execution was carried out because of the gravity of the crimes committed.

49. In accordance with Commission on Human Rights resolution 2003/77, I appointed an independent expert on human rights in Afghanistan, Cherif Bassiouni, in April 2004. He is working with the Government, the Afghan Independent Human Rights Commission, as well as the Office of the United Nations High Commissioner for Human Rights and UNAMA to develop a programme of advisory services to ensure full respect for and protection of human rights and to help prevent human rights violations by seeking, receiving and reporting information on violations.

50. Women continue to be detained for offences against social mores; "honour crimes" and death threats often follow a woman's escape from a forced or arranged

marriage. The absence of legal and social support systems has left many women trapped in abusive situations, from which they sometimes try to escape by drastic measures, including suicide and self-immolation.

51. Child kidnappings also continue to increase. Some families in the provinces of Helmand and Kandahar and elsewhere have become reluctant to send their children to school because of fears they will be abducted. Evidence suggests that the kidnapped children are being trafficked for sexual purposes and forced labour. The Government, in cooperation with the Afghan Independent Human Rights Commission, is focusing on the problem and has recently formulated a national plan of action to combat trafficking in children.

52. Complaints about forced eviction and the illegal occupation of land continue to be pervasive throughout the country. Efforts by the courts to address these issues have generally failed because many of the perpetrators are connected to powerful figures within the Government. President Hamid Karzai has appointed a commission, chaired by Vice-President Karim Khalili, to investigate the matter. The commission has, however, acknowledged that the level of corruption in the municipalities has prevented it from being effective. United Nations bodies, including UNHCR and the United Nations Centre for Human Settlements (Habitat), as well as other international agencies, are attempting to assist the Government in its efforts to address the matter.

L. Recovery, rehabilitation and reconstruction

53. The Government has made significant progress in meeting a number of the commitments contained in the work plan endorsed at the Berlin conference. In the areas of public administration, fiscal management and some aspects of private sector and economic and social development, benchmarks have been met, or soon will be at the current rate of progress. These successes demonstrate that serious domestic political commitment and effective and coordinated international support can overcome some of the significant obstacles to reform that result from decades of war.

54. Progress has, however, been slower in the areas of the rule of law, land management, disarmament and especially counter-narcotics. This lack of progress is, not surprisingly, most obvious where the reform process comes up against entrenched informal actors and networks whose interests are abetted by a weak State that is unable to apply force or to impose formal rules throughout the country. The state-building process outlined in the Bonn Agreement (see S/2001/1154) and, more recently, in the Government's work plan assumes that the formal institutions of the State will be able to control progressively the informal actors and networks that have characterized the nature of power in Afghanistan in recent years. This is to be achieved through the growing legitimacy of the Government and effectiveness of its organs and institutions, such as the police, courts and armed forces. However, those networks of informal actors, enriched by proceeds from the illegal economy — in particular from drug trafficking, illegal taxation and land appropriation — are resisting the reform process. Confronted with such resistance, the international community will need to redouble its efforts to support institutions dedicated to law enforcement, due process and accountability as primary tools to combat corruption.

55. Soon after the Berlin conference, a second meeting of the Afghanistan Development Forum was held in Kabul, from 20 to 22 April, attended by some 40 delegations. President Karzai announced a series of new national priority programmes and made a commitment to overhaul the ministerial structure. The discussions facilitated the finalization of the development budget, which was approved by the Cabinet on 30 June 2004. Total development expenditures are planned at $4.5 billion; funding has already been identified for $3.7 billion of the expenditures. The budget is divided into a core development budget and an external development budget. The core budget is fully financed. Operating expenditures will increase from $458 million in 2003 to $609 million. Development expenditures flowing through the Treasury will increase from less than $200 million in 2003 to more than $1 billion in 2005. A majority of these development expenditures will be for the national priority programmes.

56. The Priority Reform and Restructuring decree continues to be the primary vehicle for reforming and modernizing the most critical functions of government. A critical measure of the Decree, which is helping effect reform of the bureaucracy, allows ministries and other government entities to place key staff on an elevated pay scale for a fixed term. The next step calls for extension of the process to provincial governments.

57. The Government has also introduced an integrated framework for short-term capacity-building, which will allow key civil servants to be paid salaries that are comparable with rates paid to Afghan nationals employed by non-governmental organizations, enabling the Government to compete effectively for the best recruits. The Government has also developed a mechanism by which exceptionally qualified Afghans may be recruited as long-term advisers. The Government, through the Afghanistan Reconstruction Trust Fund, is also able to hire international technical assistants for short-term technical, design and feasibility studies. Implementation of these initiatives will readdress many of the capacity constraints within government over the next two years.

58. The Government has begun to put in place a legal framework to ensure that civil servants are accountable for the execution of their duties. The proposed public finance and expenditure management law imposes specific penalties on any civil servant who uses his or her position for material gain or who otherwise abuses it. The proposed procurement law is expected to include similar provisions. The draft civil service law will include a code of conduct specifying conflict-of-interest rules and other provisions to increase accountability and transparency. The Government has also appointed a new Anti-Corruption Commissioner. Reforms to the Auditor-General's Office and Attorney-General's Office, however, need greater support if those offices are to be effective.

59. The National Solidarity Programme — one of several national priority programmes — continues to make progress. Over 4,300 community development councils have been elected by secret ballot and $12 million in block grants has been disbursed to the councils. A number of the implementing non-governmental organizations are experiencing severe security constraints, which has slowed down the implementation of National Solidarity Programme projects.

60. From 10 to 12 May, a high-level conference on regional economic cooperation was held in Bishkek, supported by UNDP and attended by government officials and business leaders from the region. They discussed public and private sector assistance

initiatives and how the region could contribute to Afghanistan's economic growth, focusing in particular on efforts to reduce trade barriers, improve transport infrastructure and streamline border bottlenecks. The declaration adopted by the conference stressed the importance of regional cooperation for Afghanistan's recovery and the stability of the region. The declaration also urged donor support, especially for private sector development, through the establishment of an export and investment guarantee fund.

61. The Government of Afghanistan hosted the Second Economic Cooperation Organization Regional Trade and Investment Conference in Kabul from 18 to 20 April, with 1,000 participants, including high-level officials and delegates. The conference noted Afghanistan's potential for sustainable investment and trade.

M. Refugee return

62. By 20 May UNHCR had facilitated the return of 156,426 individual refugee to Afghanistan in 2004. Of these, 116,404 returnees came from Pakistan and 39,897 from the Islamic Republic of Iran. Since the operation began in March 2002, a total of 2,432,127 individuals (429,476 families) have been helped to repatriate to Afghanistan, among them 1,990,086 individuals from Pakistan and 431,310 individuals from the Islamic Republic of Iran. An additional 274,128 Afghans have returned spontaneously from the Islamic Republic of Iran since 2002. The number of returns from Pakistan in 2004 increased by about 30 per cent in comparison with 2003. It should also be taken into account that facilitated return from Pakistan only resumed on 1 March 2004, following a temporary hold due to security concerns. Of the returnees from Pakistan in 2004, some 25 per cent returned from camps, while some 75 per cent returned from urban areas. The Government estimates that at least 2.5 million to 3 million Afghans are still outside the country, in addition to approximately 200,000 internally displaced persons based in the south and west of the country.

N. Demining

63. Mines and unexploded ordnance contamination continues to be a major concern. Currently there are approximately 100 victims per month; more than 30 per cent of the victims are under the age of 18 and as many as 10 per cent are women and girls. There are approximately 1.3 billion square metres of contaminated land in Afghanistan, or 50 square metres for every Afghan man, woman and child. To date, the Mine Action Programme for Afghanistan has cleared more than 300 square kilometres of high-priority minefield and 522 square kilometres of former battle area, provided approximately 10.6 million Afghans with mine risk education training and trained and provided more than 25,000 school teachers with mine risk education teaching materials.

O. Mission support

64. Emergency medical care is the highest priority for mission support at the present time. The number of doctors at the Kabul clinic of the United Nations Operations Centre in Afghanistan has been increased from two to five (including a

surgeon and radiologist), with the addition of a dentist and a laboratory technician. For each of the seven regional offices outside Kabul, one national physician is being recruited, medical equipment has been ordered and a clinic is being completed.

65. UNAMA, UNDP and the United Nations Office for Project Services have placed their aircraft under joint air operations management, in particular to perform medical evacuations. The helicopters have already been used to provide medical support in Gardez, Jalalabad, Kondoz and Panjao. One armoured vehicle is being purchased for each region and will be deployed upon arrival to bring the fleet to 12 in the mission. Vehicles used for road missions are being equipped with ballistic blankets.

66. In the current environment, it is obvious that immediate additional security measures must be taken, including as regards air assets and security personnel. A needs assessment is currently being finalized, the results of which may necessitate a request for additional supplemental funds.

III. Observations

67. During the period under review, the most striking aspect of the Bonn process no doubt has been the registration of voters for the 2004 election. With some 8,659,772 million voters registered as at 28 July, of which about 41 per cent are women, the process shows strong momentum and provides a clear response to the efforts of the Taliban and other extremist groups to derail the elections and to exclude women from public life. Problems with registration continue to exist, however, in those parts of the south and south-east where insecurity caused by extremist violence acts as a deterrent for voters and electoral workers alike. Strenuous efforts will be made in the coming weeks to overcome this situation and to ensure that registration is as balanced as possible between the various provinces of Afghanistan. If these issues are addressed successfully, the national voters' list should be comprehensive enough by the end of August to give the 2004 election the broad basis required to provide the elected president with full legitimacy.

68. Other aspects of the political process have not, however, moved at the same pace. From the point of view of electoral prerequisites, the issue of credible population figures for the 34 provinces is still outstanding and is one of the main causes behind the decision of the Joint Election Management Body to delay the parliamentary election. Disarmament is also behind schedule, however, which is largely why the vast majority of Afghans have endorsed the decision of the Management Body. Indeed, across the country the perception remains that the outcome of the election at the local level will be a direct function of the presence or absence of militias. Beyond disarmament, demobilization and reintegration, the first joint report on the exercise of political rights by the Afghan Independent Human Rights Commission and UNAMA shows that progress must be made in other areas in order to create a more level playing field between political forces.

69. The period under review has also been characterized by a heightening of the challenge posed by the three main threats to the consolidation of peace and stability in Afghanistan, namely extremist violence, factionalism and the narcotics industry. Attacks by extremists and cross-border infiltrations have intensified, in particular in the country's south, and while the success of voter registration has shown the political isolation of those groups, the insecurity that they continue to create

effectively deprives a number of communities of the benefit of reconstruction, stretches existing security forces, slows down disarmament, demobilization and reintegration and in general, places a very heavy burden on the new and fragile Afghan State. The problems relating to factionalism have also been in evidence in recent months with events in Herat, Badghis, Ghor, Faryab and Balkh, which have shown a propensity by local leaders to use violence to upset the balance of power in a series of provinces, which the Afghan National Army is not yet able to roll back. Finally, eradication and interdiction efforts have not so far proved able to contain the growth of illicit cultivation and drug trafficking. Associated with this is an increase in the level of corruption, which affects the Government at the local and central level.

70. Against this background, I must state once again the vital importance of security assistance to Afghanistan. It is essential to provide better prospects for the success of the electoral process, but it is also necessary to serve as a deterrent against factional violence, to assist the deployment of Afghan security forces and, in particular, to help them control the illicit drug economy. Such assistance remains as urgent a requirement as it was after the signing of the Bonn Agreement. In this regard, we have been encouraged by the decision made by NATO at its summit in Istanbul to make more troops available to Afghanistan and trust that they will be deployed well ahead of the presidential elections and well beyond. Through voter registration, the people of Afghanistan are showing that they are prepared to seize the opportunity offered by the Bonn process to build a new country and a new State, and to take risks in the process. The task is certainly daunting in a great many respects, but the people of Afghanistan are nevertheless facing it with courage and confidence. They deserve our unwavering support.

71. In conclusion, I take this opportunity to thank my Special Representative and the staff of UNAMA for their continuing dedicated efforts on behalf of Afghanistan.

Annex

Joint Electoral Management Body

A. Timeline for the first round of the presidential election on 9 October 2004

Date	*Days before the election*	*Event*
Friday, 9 July	92	Announcement of the date of the election.
		Publication of the electoral calendar.
Saturday, 10 July	91	Opening of nominations.
Monday, 26 July	75	Closing of nominations.
		Deadline for resignation of judges, attorneys and officials who are candidates.
Thursday, 29 July	72	Publication of the preliminary list of candidates.
Saturday, 31 July	70	End of voter registration in most provinces.
Monday, 2 August	68	Deadline for public objections.
		Deadline for the Joint Election Management Body (JEMB) to notify candidates of deficient nominations.
Monday, 9 August	61	Deadline for rectification of deficient nominations.
Tuesday, 10 August	60	Posting by JEMB of the final list of candidates.
		Deadline for establishment of the Media Commission.
Tuesday, 24 August	46	End of voter registration data entry.
Sunday, 29 August-Thursday, 2 September	41-37	Posting of and challenges to provisional electoral rolls.
Tuesday, 7 September	32	Opening of the campaign.
Tuesday, 14 September	25	Deadline for the JEMB to determine all challenges electoral rolls.
Friday, 24 September	15	Deadline for the JEMB to certify and post the final electoral rolls.
Wednesday, 6 October	3	Closing of the campaign.
Saturday, 9 October	0	Polling day.

B. Indicative timetable for parliamentary elections

Days prior to polling	*Month*	*Event*
At least 120	December 2004	Signature of the decree designating district boundaries by the President.
110	December 2004	Deadline for lodging objections to electoral boundaries.
At least 90	January 2005	Provision by the Central Statistics Office of population figures for each province and district.
		Declaration by the Joint Election Management Body (JEMB) of the election date and publication of the electoral calendar.
		Opening of nominations.
75	January 2005	Deadline for nominations to be filed with JEMB.
		Deadline for resignation of judges, attorneys and officials intending to nominate.
68	February 2005	Finalization by JEMB of decisions relating to the eligibility of candidates.
61	February 2005	Rectification by candidates of deficient nominations.
Date fixed by JEMB	February 2005	Deadline for public objections to candidates.
At least 60	February 2005	Re-establishment by JEMB of the Media Commission.
		Posting by JEMB of lists of parties and candidates.
32-3	March-April 2005	Campaign period.
15	March-April 2005	Certification and posting by JEMB of the electoral rolls.
	April 2005	Polling day.

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Security Council

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11 August 2004

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Letter dated 10 August 2004 from the Chargé d'affaires a.i. of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to enclose herewith the text of the joint communiqué signed on 3 July 2004 by the Government of the Sudan and the United Nations during the visit of the Secretary-General to the Sudan (see annex).

I would highly appreciate it if you would circulate the present letter and its annex as a document of the Security Council.

(*Signed*) Omer B. **Manis**
Chargé d'affaires a.i.

04-45648 (E) 120804

Annex to the letter dated 10 August 2004 from the Chargé d'affaires a.i. of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Security Council

Joint communiqué of the Government of the Sudan and the United Nations on the occasion of the visit of the Secretary-General to the Sudan

29 June-3 July 2004

- Deeply concerned with the grave situation in the Darfur region of the Sudan,
- Alarmed by the number and severity of conditions of the internally displaced in Darfur and refugees in Chad which, if not addressed with urgency, may deteriorate to catastrophic levels,
- Aware of the urgent need to stop the continuing attacks on the targeted civilian population in Darfur, particularly by the Janjaweed and other outlaw armed groups, and to ensure security in the region consistent with the Humanitarian Ceasefire Agreement signed by the Government of the Sudan and the rebel groups (SLM and JEM) in May,
- Convinced of the need to stop all human rights violations in the region,
- Convinced too of the urgency of resuming the talks between the Government of the Sudan and the Darfur rebel groups (SLM and JEM) and speedily reach final settlement to address the root causes of the conflict,
- Aware of the positive impact the implementation of an eventual agreement on the south will have in the settlement of the conflict in Darfur and the establishment of durable peace in the Sudan as a whole,
- Recognizing the recent improvement in achieving humanitarian access to Darfur granted by the Government of the Sudan to the United Nations, including humanitarian organizations and African Union monitors, and welcoming the increase in the provision of assistance to the internally displaced and other vulnerable groups by local and national authorities, international agencies and non-governmental organizations.

The United Nations:

1. Pledges to do its utmost to help alleviate the humanitarian need of the affected population in Darfur and Sudanese refugees in Chad consistent with its 90-day humanitarian action plan.

2. Will assist in the quick deployment of African Union ceasefire monitors.

3. Stands ready to continue to help in the mediation on the south and on Darfur.

4. Commits itself, subsequent to Security Council resolutions, to assist in implementing agreements reached on south Sudan and Darfur; to that end, the United Nations shall continue the preparations it has started for a possible peacekeeping role when agreements are reached.

The Government of the Sudan commits itself:

1. On humanitarian issues:

To implement a "moratorium on restrictions" for all humanitarian work in Darfur, and remove any other obstacles to humanitarian work, including:

- Suspension of visa restrictions for all humanitarian workers and permitting freedom of movement for aid workers throughout Darfur.
- Permitting immediate temporary registration of non-governmental organizations through a simple notification process that the Office for the Coordination of Humanitarian Affairs will offer to manage on behalf of non-governmental organizations; permanent registration shall be processed within 90 days.
- Suspension of all restrictions on the importation and use of all humanitarian assistance materials, transport vehicles, aircraft and communication equipment.

2. On human rights:

- To take concrete measures to end impunity.
- To undertake immediate investigation of all cases of violations, including those brought to its attention by the United Nations, AU and other sources.
- To ensure that the Independent Investigation Committee established by presidential decree in May receives the necessary resources to undertake its work and that its recommendations are fully implemented.
- To ensure that all individuals and groups accused of human rights violations are brought to justice without delay.
- To allow the deployment of human rights monitors.
- To establish a fair system, respectful of local traditions, that will allow abused women to bring charges against alleged perpetrators.

3. On security:

- To deploy a strong, credible and respected police force in all areas where there are internally displaced persons, as well as in areas susceptible to attacks.
- To train all police units in human rights law and hold them responsible for upholding it.
- To ensure that no militias are present in all areas surrounding camps of internally displaced persons.
- To immediately start to disarm the Janjaweed and other armed outlaw groups.
- To ensure that immediate action is taken to rebuild the confidence of the vulnerable population and that any return of the displaced to their homes is done in a truly voluntary manner in line with the current Humanitarian Ceasefire Agreement.

4. On political settlement of the conflict in Darfur:

- To resume the political talks on Darfur in the shortest possible time to reach a comprehensive solution acceptable to all parties in the conflict.
- As peace in Darfur is a requisite for peace in the south, to welcome the international community's role in assisting the implementation of an eventual peace agreement in Darfur.

Implementation mechanism

1. The Government of the Sudan and the United Nations agree to form a high-level Joint Implementation Mechanism for this agreement.

2. The Government of the Sudan and the United Nations delegates to the Joint Implementation Mechanism shall be led by the Minister for Foreign Affairs for the Sudan and the Special Representative of the Secretary-General for the United Nations and its partners.

3. The Joint Implementation Mechanism shall closely follow and appraise development and periodically report on the progress in the implementation of this agreement to the Government of the Sudan and the United Nations.

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Letter dated 10 August 2004 from the Chargé d' affaires a.i. of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to enclose herewith the text of the Plan of Action signed on 5 August 2004 by Mustafa Osman Ismail, Minister for Foreign Affairs, on behalf of the Government of the Sudan, and Jan Pronk, Special Representative of the Secretary-General to the Sudan (see annex).

I would highly appreciate it if you would circulate the present letter and its annex as a document of the Security Council.

(*Signed*) Omer B. **Manis**
Chargé d'affaires a.i.

04-45654 (E) 120804

Annex to the letter dated 10 August 2004 from the Chargé d'affaires a.i. of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Secretary-General

Darfur Plan of Action

5 August 2004

Objective

The objective is to create conditions for the restoration of peace, security, stability and development in Darfur. To this end, the Government of the Sudan commits itself to the following action plan to provide early indications to the international community that they have made positive progress in compliance with Security Council resolution 1556 (2004), by the original deadline of 30 August 2004 and with the commitments in the United Nations-Government of the Sudan communiqué of 3 July 2004. Whilst it is acknowledged that the Government of the Sudan may not be able to fulfil all the requirements of resolution 1556 (2004) by this deadline, there are several actions that they can take now to demonstrate commitment to comply.

The following action plan has been drawn up in the light of discussions and suggestions made at the second meeting of the Joint Implementation Mechanism chaired from the Sudanese side by Mustafa Osman Ismail, Minister for Foreign Affairs, and from the United Nations side by Jan Pronk, Special Representative of the Secretary-General, on 2 August 2004.

Actions

1. **Identity and secure safe areas**. The Government of the Sudan would identify parts of Darfur that can be made secure and safe within 30 days. This could include existing camps of internally displaced persons and areas around certain towns and villages with a high concentration of local population. The Government of the Sudan should then provide secure routes to and between these areas. These tasks should be carried out by the Sudan police forces to maintain confidence already created by the redeployment of the Government of the Sudan armed forces. This will allow people to reach the areas initially and also conduct business essential to life support such as:

- Movement to and from water/food sources
- Tend to animals
- Work on their land

This can be achieved by a number of means that could include:

- Establishing static defences around towns/camps
- Checkpoints on relevant routes
- Providing escorts to convoys

2. **Control activities of the Government of the Sudan armed forces**. All offensive military operations by the Government of the Sudan armed forces in the proposed safe areas would cease immediately. This includes any offensive actions against rebel groups. The Government of the Sudan armed forces will also exercise restraint and avoid retaliation against rebel activities notwithstanding their right of self-defence. They will then by redeployed in such a way that they are not in direct contact with the camps and the civilians. This will demonstrate political will and help build confidence among the local population.

3. **Control and restrain activities by rebel groups**. In accordance with the ceasefire agreement, the Government of the Sudan will ask the rebel groups participating in the Darfur peace talks immediately to cease offensive military operations in the proposed safe areas. The Government of the Sudan expects that the African Union and other international partners will pressure the rebel groups to fully maintain the current ceasefire and lay down their weapons. These weapons could later be collected as part of a disarmament, demobilization and reintegration programme.

4. **Control and restrain activities by armed militias**. The Government of the Sudan would identify and declare those militias over whom it has influence and instruct them to cease their activities forthwith and lay down their weapons. These weapons could later be collected as part of an agreed disarmament, demobilization and reintegration programme which would include disarming the rebels and other armed militias.

5. **Agreement on military observers**. The Government of the Sudan would invite the Ceasefire Commission to monitor and report on the observance of the above commitments.

6. **Demonstrate political commitment to peace talks**. The Government of the Sudan would make an unequivocal declaration of commitment to start the Darfur peace talks as soon as possible in any venue to be proposed by the African Union. They will renew their commitment to bringing these talks to a successful and speedy conclusion, in order to ensure security and to take away the root causes of the conflict. The Government of the Sudan expects the Security Council and the African Union to pressure the rebels to do likewise.

7. The Government of the Sudan would request support from the African Union and the League of Arab States to assist in resolving the crisis by providing financial and logistic resources as well as monitors.

8. **Request support from other partners in the international community**. The Government of the Sudan would request, through the United Nations, provision of financial and logistic resources as necessary to meet the tasks outlined above within the timeline agreed in Security Council resolution 1556 (2004).

9. The Government of the Sudan would sign an agreement with the International Organization for Migration to oversee and assist in the voluntary return of the internally displaced persons to their homes. The Government of the Sudan confirms its policy of no involuntary return.

10. The Government of the Sudan will engage local leaders; it will hold a conference to seek their help in building confidence and take more responsibility in security, administration and in resolving disputes.

11. The Government of the Sudan shall maintain and further improve the humanitarian situation of the population in Darfur with the support of the international community. To this end the Government of the Sudan commits itself to extending the fast-track procedure regarding access until July 2005.

12. The Government of the Sudan will start talks with community leaders and others with the aim of establishing a commission for rehabilitation, recovery, development and reconciliation in Darfur.

(*Signed*) Mustafa Osman **Ismail**
Minister for Foreign Affairs
For the Government of the Republic of the Sudan

(*Signed*) Jan **Pronk**
Special Representative of the Secretary-General
For the United Nations

United Nations S/2004/637

Security Council

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11 August 2004

Original: English

Draft resolution

The Security Council,

Recalling all its previous relevant resolutions on Iraq, in particular resolution 1500 (2003) of 14 August 2003 and 1546 (2004) of 8 June 2004,

Reaffirming the independence, sovereignty, unity and territorial integrity of Iraq,

Recalling the establishment of the United Nations Assistance Mission for Iraq (UNAMI) on 14 August 2003, and reaffirming that the United Nations should play a leading role in assisting the Iraqi people and government in the formation of institutions for representative government,

Welcoming the Secretary-General's appointment of his new Special Representative for Iraq,

Having considered the report of the Secretary-General of 5 August 2004 (S/2004/625),

1. *Decides* to extend the mandate of the United Nations Assistance Mission for Iraq (UNAMI) for a period of twelve months from the date of this resolution;

2. *Expresses* its intention to review the mandate of UNAMI in twelve months or sooner if requested by the Government of Iraq;

3. *Decides* to remain seized of the matter.

04-45774 (E) 120804

United Nations S/2004/638

Security Council

Distr.: General
11 August 2004

Original: English

Letter dated 10 August 2004 from the Chargé d'affaires a.i. of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to enclose herewith the letter dated 8 August 2004 from Mustafa Osman Ismail, Minister for Foreign Affairs, to the President of the Security Council concerning the incitement, support and training by Eritrea of the outlaws in the Darfur region (western Sudan) as part of Eritrea's continuous attempts to destabilize the Sudan and the ongoing peace process (see annex). In this regard I would like to refer you to the previous complaints of my Government against Eritrea addressed to the Security Council.

I would highly appreciate it if you would circulate the present letter and its annex as a document of the Security Council.

(*Signed*) Omer B. **Manis**
Chargé d'affaires a.i.

04-45684 (E) 110804 120804

Annex to the letter dated 10 August 2004 from the Chargé d'affaires a.i. of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Security Council

[Original: Arabic]

I wish to refer to our earlier letter dated 4 January 2004 concerning the Eritrean intervention in the Sudan to stir up dissent, provoke conflict and derail security and stability. The documents have included:

1. The latest communiqué issued by the Beja organization concerning its operation in eastern Sudan (issued at the Asmara office).

2. A joint military communiqué by the forces of the Beja Congress and the National Revolutionary Movement (liberation forces).

In compliance with our duties and responsibilities, with our faith in the principles of collective security and in cooperation with the international family to resolve disputes by peaceful means, we wish to inform you once again of the persistence of the Eritrean regime in continuing its hostility to the Sudan in violation of the principles of good neighbourliness and of international laws and customs.

As soon as the Government of the Sudan had signed the last three peace protocols with the popular movement, joy spread throughout the region, the continent and the world as a whole, apart from the State of Eritrea which was highly displeased that the wishes of the Sudan had been attained, through the good offices of the Intergovernmental Authority on Development (IGAD) and with the generous support of the IGAD Partners Forum, putting an end to the longest civil war in the African continent.

The position of the Eritrean Government concerning the war in south Sudan is a natural extension of its dealings with the other neighbours of Eritrea: it embarked on a war against Ethiopia and another against Yemen. In its insistence on continuing in the same path, Eritrea proceeded to adopt the outlaw groups in the Darfur region in western Sudan, occupied their encampments in Eritrean territory to train them, supply them with weapons and materiel, provide them with military and logistic facilities, place its information media at their disposal, grant diplomatic passports to their leaders and give them a headquarters from which to carry out their aggressive activities against the Sudan.

The regime in Eritrea adopts this subversive attitude while the Government of the Sudan makes serious and sincere efforts to address the situation in the Darfur region which may be summarized as follows:

- The Government sat down with the armed groups and signed with them the Abashi Agreement in September 2003.
- The Government announced the end of major military operations and opened relief corridors.
- The Government sat down with the armed groups at Injamina between 30 March and 9 April 2004 where the two sides signed a ceasefire with effect from 11 April 2004. The parties also signed the protocol on the flow of humanitarian assistance and affirmed that the dispute had been resolved by peaceful means.

- On 7 April 2004, the President of the Republic set up a committee comprising the Ministers for Foreign Affairs, Internal Affairs, Defence and Humanitarian Affairs to discuss the most effective means of controlling the armed and undisciplined groups, opening relief corridors and achieving security and stability in the region.

- In order to ensure transparency and to inform the international community of the situation in Darfur, I made a visit on 8 April 2004 to the three provinces of Darfur accompanied by the ambassadors of the United States, France and the European Union, the directors of the United Nations offices in Khartoum, representatives of news agencies and the press, broadcasting organizations and television stations.

- On 15 April 2004, the Government and the armed groups signed an agreement to establish a mechanism for the comprehensive peace and development conference in Darfur.

- The United Nations sent a high-level delegation led by the Executive Director of the World Food Programme which visited the Sudan from 27 April to 2 May 2004 and studied the practical needs of the displaced persons in preparation for the establishment of the plans necessary for assisting them. The Government of the Sudan facilitated the grant of entry visas for those working in the field of humanitarian assistance.

- On 7 May 2004 we received a working group comprising representatives of the headquarters of the African Union and of the United States and the European Union and discussions were held with them concerning the deployment of observers. The ceasefire was renewed for a period of 45 days from 25 May 2004.

- On 8 May 2004, the President of the Republic issued Governmental decision No. 97/2004 creating a fact-finding committee concerning the allegations of breaches of human rights in Darfur. The committee was chaired by a national figure well known for his competence, impartiality and fairness, namely the former President of the Judiciary. The Committee convened a hearing in the capital with the members of Parliament for Darfur, and another with educators, activists and prominent individuals of Darfur, and it is now preparing to move to the provinces of Darfur and the republic of Chad to conclude its work.

- On 28 May 2004, at the headquarters of the African Union in Addis Ababa, at a ceremony attended by representatives of the international community, the Chadian mediator and the news media, the Government and the armed groups signed an agreement on the establishment of a Ceasefire Commission and the deployment of observers.

- On 4 July 2004, in Khartoum, the Government and the headquarters of the African Union signed the headquarters agreement of the Ceasefire Commission. An advance party of the Commission went to Khartoum and the city of Al-Fashir in the Darfur region and proceeded to set up the offices in preparation for the start of their work.

- The Government deployed three fully equipped brigades of police in Darfur to safeguard the relief workers, the camps of the immigrants and vital installations.

I am informing you, and through you the international community, of the efforts of the Government of Sudan to solve the problem in Darfur which is essentially a conflict between farmers and herdsmen over scarce natural resources. I confirm that the desire of the Sudan, which made possible the peace agreement in south Sudan after a war which had lasted five decades, will enable it to achieve a just settlement of the Darfur problem. However, that will require solidarity with the Sudan on the part of the international community.

The Government of the Sudan, draws attention to the danger of the hostile conduct of the Eritrean regime which has derailed security and stability in the Sudan, and has resulted in the displacement of its citizens from their villages some of whom have taken refuge in neighbouring countries. All this has had an adverse impact on the region as a whole. The Government therefore calls on you to take the appropriate measures in compliance with the responsibilities of the United Nations for ensuring international security and peace.

(*Signed*) Mustafa Osman **Ismail**
Minister for Foreign Affairs of the Republic of the Sudan

United Nations S/2004/639

Security Council

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11 August 2004

Original: English

Letter dated 30 July 2004 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on Security Council resolution 1556 (2004) on the Sudan, issued on 30 July 2004 by the Presidency on behalf of the European Union (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Dirk Jan **van den Berg**
Permanent Representative of the Kingdom
of the Netherlands to the United Nations

04-46488 (E) 240804

Annex to the letter dated 30 July 2004 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement on Security Council resolution 1556 (2004) on the Sudan issued on 30 July 2004 by the Presidency on behalf of the European Union

The Presidency of the European Union welcomes United Nations Security Council resolution 1556 (2004) on the Sudan, which was adopted today. The Presidency of the European Union supports the urgent call on the Government of the Sudan to fulfil immediately all the commitments it made in the joint communiqué of 3 July. Regarding the commitments of the Government of the Sudan concerning the Janjaweed militias and leaders, the Presidency welcomes the request by the Security Council to the Secretary-General to report in 30 days and monthly thereafter, as well as the intention of the Security Council to consider further actions in the event of non-compliance by the Government of the Sudan, including measures as provided for in Article 41 of the Charter of the United Nations.

The Presidency of the European Union urges the parties to the N'Djamena ceasefire agreement of 8 April 2004 to reach a political agreement without delay. It fully supports the appeal made by the Security Council to rebel groups to respect the ceasefire, to end the violence immediately and engage in peace talks without preconditions.

The Presidency reiterates the determination of the European Union to continue to play an active role for the improvement of the situation in Darfur and recalls in this respect the Council conclusions of 12 and 26 July. In this light a European Union civilian and military expert team will travel to the region in the coming week to assess urgently how best to further support the African Union Observer Mission, including the protection force.

The Presidency looks forward to continuing its close cooperation with the United Nations, in particular with Special Representative of the Secretary-General, Jan Pronk, the African Union, the United States and other relevant players.

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Security Council

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Letter dated 4 August 2004 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the Somalia National Reconciliation Conference, issued on 3 August 2004 by the Presidency on behalf of the European Union (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Dirk Jan **van den Berg**
Permanent Representative of the Kingdom
of the Netherlands to the United Nations

04-46475 (E) 230804

Annex to the letter dated 4 August 2004 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement on the Somalia National Reconciliation Conference, issued on 3 August 2004 by the Presidency on behalf of the European Union

The European Union welcomes the outcome of the IGAD ministerial meeting in Nairobi on 30 July, at which was announced the conclusion of the process of appointing members of a transitional federal parliament.

The European Union commends the efforts of Somali leaders in achieving this significant outcome and calls upon them to ensure that the same spirit of positive cooperation prevails during the remainder of the reconciliation process. It welcomes in particular the cohesiveness shown by IGAD member States and their resolve to adopt a common approach based on political consensus.

The European Union reassures all parties involved in the process of its continued commitment and reiterates its support for the challenges confronting Somalia in the coming months.

The European Union appeals to all parties to continue their engagement with the aim of establishing:

- An inclusive government committed to furthering stability and to constructive dialogue with all Somalis, including with existing areas of tranquillity.
- A government whose members are committed to an effective ceasefire and to the creation of a stable national environment, including the eradication of any possible terrorist activity.
- A government which works for humanitarian access across Somalia and for the protection of civilians.
- A government that works with commitment towards a federal Somalia by establishing a federal commission as stated in the Transitional Federal Charter.
- A government which cooperates with the international community on the basis of an agreement and a joint coordination and monitoring mechanism to be finalized in Nairobi.

The European Union stands ready to continue to assist the Somalia National Reconciliation Conference and urges it to continue in its efforts to reach an early and positive conclusion.

The candidate countries Bulgaria, Croatia,* Romania and Turkey, the countries of the stabilization and association process and potential candidates, Serbia and Montenegro and the former Yugoslav Republic of Macedonia, and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, align themselves with this statement.

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* Croatia continues to be part of the stabilization and association process.